# \*\*\*Brentwood Contractors AC\*\*\*

# Off Case

## UE DA

### Contractors Link

**Living Wage For Contractors Increases Unemployment; Best Statistical Evidence. Independently Turns Income Inequality**

**Lammam, 2014:**

(The Economic Effects Of Living Wage Laws. January 2014. Charles Lammam. Analyst For The Fraser Institute)

**While** the specific definition and coverage of **living wage laws vary by** US **municipality, the ordinance is** typically **a minimum hourly wage that has to be paid to employees of private businesses that contract with the city to provide public services.** Some versions have broader coverage and also apply to employees of businesses that receive financial assistance (subsidies) from the city government. Although activists claim living wage laws can increase wages with minimal costs, the reality is quite different. **Both economic theory and evidence suggest that living wage ordinances,** like minimum wage legislation, **create distortions in the labour market that have a negative impact on employment.** When governments mandate a wage above the prevailing market rate, **a typical result is that fewer jobs and hours become available and it is usually the people who are less skilled who are most adversely affected.** Indeed, **there is a trade-off between the workers who benefit from a higher wage and those who endure the costs** due to fewer employment opportunities. **The research looking into the economic effects of living wage laws is not as developed as the minimum wage literature,** which spans several decades and over a hundred academic studies. **But the conclusion from the best and most rigorously analyzed evidence is that living wage laws have similar unintended consequences. Specifically, evidence shows that employers respond to living wages by cutting back on jobs, hours, and on-the-job training.** Those who advocate living wage laws tend to overlook these consequences and instead focus only on the benefits of such policies. **The reality is that, while some workers may benefit from a higher wage, their gain comes at the expense of others. According to research by leading scholars in the field, a 100% increase in the living wage (say going from a minimum wage of $10 per hour to a living wage of $20 per hour) reduces employment among low-wage workers by between 12% and 17%. Affected workers therefore lose valuable employment income and the ability to gain new skills and experience that foster upward income mobility.**

### Weighing

**Unemployment is worse for the poor than low wages**

**ALEC 14**

American Legislative Exchange Council. “Raising the Minimum Wage: The Effects on Employment, Businesses and Consumers.” March 2014. <http://www.alec.org/wp-content/uploads/Raising_Minimum_wage.pdf>

The problem plaguing America’s poor is not low wages, but rather a shortage of jobs.34 At a time when the nation’s workforce participation is only 62.8 percent, policymakers must avoid policies that destroy job opportunities.35 Increasing the minimum wage does nothing to help the unemployed poor. In fact, as discussed above, it hurts individuals looking for employment as it decreases available job opportunities. So, who is helped by an increase to the minimum wage? According to a 2012 report from the Bureau of Labor Statistics, although workers under age 25 represented only 20 percent of hourly wage earners, they made up just over half (50.6 percent) of all minimum wage earners.36 The average household income of these young minimum wage earners was $65,900.37 Among adults 25 and older earning the minimum wage, 75 percent live well above the poverty line of $22,350 for a family of four, with an average annual income of $42,500.38 This is possible because more than half of older minimum wage earners work part-time and many are not the sole earners in their households.39 In fact, 83.5 percent of employees whose wages would rise due to a minimum wage increase either live with parents or another relative, live alone, or are part of a dual-earner couple.40 Only 16.5 percent of individuals who would benefit from an increase to the minimum wage are sole earners in families with children.41 With national unemployment still hovering around 7 percent, national, state, and local demands for an increased minimum wage could not be more ill-timed.42 Increasing the minimum wage would make it more difficult for emerging businesses to expand payrolls and for existing businesses to maintain employees. Further, a higher wage rate would make it more difficult for individuals with less education and experience to find work. Raising the minimum wage favors those who already have jobs at the expense of the unemployed. Public policy would be more beneficial if it lowered barriers to entry for employment and increased economic opportunities. Raising the minimum wage may be a politically attractive policy option, but it is harmful to the very people policymakers intend it to help.

## Wage Subsidies CP (Contractors Shell)

### Text

#### Counterplan: Municipalities in the United States ought to make available for low-wage workers below the poverty level a permanent targeted wage subsidy adjusted to local cost of living and abolish minimum wage laws.

### Solvency (Ordinances)

Living wage ordinances kill job growth; wage subsidies are better, and economists agree

**EPI 1** writes[[1]](#footnote-1)

It is revealing that the **living wage** activists promote policies at the local level that **would raise** the **costs of employers, rather than** targeted policies that **promote** economic **growth** and expansion. Writing in the influential Brookings Review, Edward Hill and Jeremy Nowak have made the case that distressed urban areas need a combination of tax subsidies and market-based policies that attract businesses and encourage investments in workers and infrastructure.6 **Living wage ordinances, by raising employer costs,** work in the opposite direction by **limiting job growth and employment opportunities for low-skill workers. A more appealing policy** alternative to wage mandates **is a targeted living wage subsidy that encourages the poor to work, yet does not place hiring barriers in their path. Professional labor economists**, who study the effects of wage mandates and wage subsidies, **are overwhelmingly opposed to living wage ordinances and prefer** tax credits or **wage subsidies** as antipoverty devices. This is shown in a recent survey, conducted in March and April 2000, of members of the American Economic Association who specialize in labor economics.7 Of the 336 labor economists who responded to the survey, 69 percent expressed the opinion that localized living wage ordinances were “not at all” efficient in addressing the income needs of poor families. Indeed, 43 percent of the respondents agreed with the statement that a national living wage mandate would increase poverty. On the other hand, 98 percent of the responding labor economists expressed a belief that the federal Earned Income Tax Credit (EITC) was either a “very efficient” (51%) or a “somewhat efficient” (47%) means of assisting the poor.

### N/B (Ordinances)

The aff destroys 50% of minimum wage contractor jobs, and that’s a conservative estimate—the CP solves

**EPI 1** writes[[2]](#footnote-2)

Wage Mandates Cause Job Displacement While Wage Subsidies Do Not One compelling argument against mandated wage increases on the scale advocated by the living wage movement is that they would result in job losses for the very population they seek to help. Wage mandates are thought to cause job loss by raising employers’ costs of employing low-skill labor without corresponding increases in skills or productivity. This increase in relative costs leads employers to substitute higher skilled labor and capital equipment for the very-low-wage workers the living wage movement purports to help. Without jobs, the living wage ordinances offer an empty promise. On the other hand, **targeted wage subsidies do not destroy jobs** for less-skilled workers **because they do not raise** the **employers’ costs** of employing them. The benefits are delivered to either the worker or the employer through a subsidy payment or tax credit. a. Wage Mandates Cause the Less Skilled to Lose Jobs **Based on decades of research, most labor economists agree that minimum wages do not reduce poverty** partly **because** the **costs of minimum wages are borne disproportionately by the poor.**10 When labor costs rise through wage mandates, **employers have strong incentives to substitute high**er**-skilled labor** and capital **for** the **less-skilled labor that has become more expensive**. Also, to the extent that **businesses raise prices** as a result of the wage hikes, **they stand to lose customers, which leads to further reductions in jobs**. Unfortunately, those who need the jobs the most and who have the most difficulty finding and keeping Page 3 stable work are those most likely to be hurt by the wage increases. It is thus not surprising that labor economists take a dim view of living wage ordinances because these ordinances are nothing more than the minimum wage on steroids. Based on an extensive body of respectable research, a conservative estimate would be that a mandated 10 percent increase in wages would reduce the employment and/or hours of those affected by at least 5 percent.11 Other credible studies have found much higher effects.12 This means that, **speaking conservatively, a living wage ordinance that doubled labor costs** for low-wage workers (e.g., a wage hike from $5.15 to $10.30) **could** be expected to **reduce employment of those previously working at** the **minimum wage by 50 percent**.13 That is, one out of every two affected minimum wage workers could expect to be displaced (or the equivalent in reductions in hours across the minimum wage work force) because of the higher-wages mandated by living wage ordinances. The effect for higher wage workers would also be significant. For workers whose wages were raised by 50 percent, say from $7.00 to $10.50, one of four of them is likely to be displaced (or we would see an equivalent hours reduction for the work force). This is just the shortrun effect. The longer-term effects are less well documented, but are likely to lead to further skilled labor or capital substitution, or other adjustments that reduce labor demand. The disemployment effects could be lower for contractor-based mandates if the local government absorbs a high fraction of the higher wage and benefit costs. Is it any wonder that labor economists generally regard wage mandates as being more likely to increase poverty than to reduce it?

The aff’s poorly targeted; the CP solves

**EPI 1** writes[[3]](#footnote-3)

Compared with the question of whether wage mandates cause employment losses, there is even a greater degree of consensus among labor economists that wage mandates are ineffective in reducing poverty.32 **It is undisputed that many** of the **wage increases that result from minimum wage hikes go not to the needy, but** to **those in the middle or upper part of** the **income distribution**.33 Many of those who benefited are young people who live with their parents, are not the sole support of a family, or reside in households with above-average family incomes.34 Moreover, because **many poor families do not have** any **full-time workers**, they do not benefit, **or** they **benefit only marginally**, from the mandated wage increases.35 Also, as mentioned above, since wage mandates are thought to cause employment displacement among those who have limited skills and work experience, the poor end up paying disproportionately for any benefits they may receive. Because living wage ordinances are relatively new, we know less about the distribution of benefits from living wage ordinances than we do about those from minimum wage hikes. However, it is known that **in the U**nited **S**tates**, poverty is generally associated with either no work or part-time work**.36 **Mandated wage policies are limited** in their capability to raise families out of poverty because they benefit mostly those who work full-time and who are thus less likely to be poor. Wage mandates are considered inefficient because many of their benefits go to the non-poor, and because not all poor families receive benefits. The inefficiency is exacerbated by the job displacement effects that fall chiefly on the less skilled. **On the other hand, targeted wage subsidies by design are limited to workers in low-income families**, or to firms that employ such workers. Moreover, the targeted wage subsidies encourage the poor to increase their labor force participation without causing job losses. Thus, the truly needy are able to receive greater net benefits. Targeted wage subsidies are thus more efficient in helping families in need than untargeted wage mandates.

Taxes and benefit reductions offset aff solvency; the CP avoids this

**EPI 1** writes[[4]](#footnote-4)

Unlike Living Wage Ordinances, Wage Subsidies Do Not Cause Poor Families to Lose Government Benefits For poor families receiving government assistance, there is yet another reason mandated wage policies are ineffective in alleviating their poverty. **Government assistance programs such as T**emporary **A**ssistance for **N**eedy **F**amilies**, food stamps,** the **E**arned **I**ncome **T**ax **C**redit **and housing assistance** all **reduce their benefits incrementally** as a family’s earnings increase. A recent study from New York University Law School has documented just how pervasive such work disincentives can be for workers in poor families.37 This means that for every additional dollar a family earns it could lose as much as 90 cents or more in federal benefits. **Thus,** the **upside potential for a living wage mandate to** substantially **increase a poverty family’s net income is** extremely **limited**. Indeed, **even advocates** of living wage mandates **concede that a significant part** of any mandated wage increase **is lost through taxes and benefit losses**. For example, Pollin and his colleagues estimated that in the absence of job losses, a New Orleans minimum wage of $6.15 would increase the gross earnings of affected workers by 12 percent, but would increase their after-tax, after-benefit incomes by only 2.9 to 4.4 percent.38 In contrast **targeted wage subsidies do not impinge on a family’s eligibility for government programs, and thus cause no loss of benefits**.39 In view of these facts, most labor economists view wage mandates as inefficient and likely to cause more harm than good. They prefer wage subsidies that can be more efficiently targeted to those in need and that do not cause the loss of jobs.

## Pettit NC

### Framework

**The standard is non-domination, defined as minimizing the capacity for arbitrary interference.**

**Only civic republicanism can ground state coercion – this straight turns his actor specificity warrants.**

**Waltman 2**

Jerry Waltman (taught political science at the University of Southern Mississippi for 25 years; in 15 of those he participated in the British Studies Program.  He currently holds an endowed professorship in political science at Baylor University, where he teaches British politics and comparative public law.  He received his Ph.D. from Indiana University, and is the author of eight books and numerous articles in academic journals on both British and American politics.  In addition to his years spent on the British Studies Program, he has traveled and taught in the UK on many occasions). “Civic Republicanism, The Basic Income Guarantee, and the Living Wage.” USBIG Discussion Paper. No. 25, March 2002.

Civic republicanism's origins lie in the ancient world, in the political theory undergirding several notable Greek city-states and the Roman republic. (2) Thereafter, it lay dormant until resurrected in the Italian city-states of the Renaissance, and then by the "Commonwealth men" of seventeenth century England. From the latter, it was transported to the American colonies and flowered during the Revolutionary era and immediately afterward. While republican thinkers from these various periods parted company on several matters, their unifying focus was that the polity is a self-governing community of citizens. The aim of the civic republican polity is maintaining the liberty of its citizens. Since liberty cannot be achieved outside a community-a wild animal can be "free" but it cannot be said to have "liberty"-the individual citizen must be intimately connected to the community. He must believe that his **[their] interests are inseparable from** those of **the community**, and that the role of citizen is a natural part of life. The state can rely on its citizens, who after all are the state, to exercise civic virtue and to consider the needs of the community along with their own. The citizenry governs itself by the process of deliberation, a deliberation devoted to finding and pursuing the public interest. To this end, political institutions in a republic should evidence a certain balance and be rather slow acting, at least under ordinary circumstances. Representative democracy, which allows republics to be larger than city-states, is a method for the further protection of liberty. It is not, pointedly, an end in itself. Unlike liberal individualism, which posits no overriding end for the polity, civic republicanism stands emphatically on liberty as its central value. Liberty is taken to mean being free from domination. More formally, according to Richard Petit, a leading contemporary republican theorist, "One agent dominates another if and only if they have a certain power over that other, in particular a power of interference on an arbitrary basis." (3) Domination can therefore take either of two forms. In the first, one private individual holds power over another (dominium); in the second, it is the state which exercises the domination (imperium). Both are equally odious to republicanism. If I am dominated, I am not free, no matter what the source of the domination. To be a citizen is to be at all times and all places free of domination, since citizenship is synonymous with the enjoyment of liberty. Prohibiting dominium presupposes that no citizen can be the servant of another, for servanthood brings domination with it by its very nature. If you are my servant and I order you around, you are quite clearly being dominated. Nevertheless, it is important to note that **you are dominated even if I chose not to order you around** (for whatever reason). You still cannot look me in the eye as an equal, for we both know that "The Remains of the Day" is more realistic than Wooster and Jeeves. Not only may I alter my reserved role at any time without consulting you, but you will also be ever mindful of my ability to do so, and that cannot help but affect how you think, feel, and act. You and I are both aware that there may come a time when you will have to tread gingerly. Citizens of a republic simply cannot have such a relationship. As Petit said of civic republicans: The heights that they identified held out the prospect of a way of life within which none of them had to bow and scrape to others; they would each be capable of standing on their own two feet; they would each be able to look others squarely in the eye. (4) Or, as Walt Whitman succinctly described a citizen, "Neither a servant nor a master am I." (5) Governmental power can of course be a source of domination also, for the enormous power of the state is ever pregnant with the potential for domination. **There is, however, a critical difference** here. Whereas interference, real or potential, by one individual over another's choices is by its nature domination, governmental interference in one's affairs may or may not be. This is because liberty can only be made meaningful in a community, and the needs of the community will necessarily at times come into conflict with one or more individuals' autonomy, or at least with individuals' autonomy as they would define it. It is the community that makes liberty possible, and a citizen's freedom is inseparable from the interests and health of the community. As Blackstone noted, "**laws, when prudently framed, are** by no means subversive but rather **introductive of liberty**." (6)

### Contention

**I contend living wage is unfair – it overburdens employers. The counterplan solves.**

**Mankiw 14**

N. Gregory Mankiw (Chairman and Professor of Economics at Harvard University). “Help the Working Poor, but Share the Burden.” New York Times. 4 January 2014. http://www.nytimes.com/2014/01/05/business/help-the-working-poor-but-share-the-burden.html?\_r=0

As a result, those who are worried about inequality look for more immediate ways to help workers with limited skills. Before turning to President Obama’s proposal, let’s consider two other possibilities. For lack of better terms, call them Plan A and Plan B: PLAN A **The government subsidizes** the incomes of **low-wage workers.** These subsidies are financed by increasing taxes on middle- and upper-income Americans. PLAN B The government again subsidizes the incomes of low-wage workers. But under this plan, the subsidies are financed by taxing those companies that hire low-wage workers. Stop reading for a moment and consider: Which of these plans would you prefer, and why? If you have a pen or pencil handy, jot down your reasons. O.K. — and now, here are my answers: To me, Plan A is distinctly better than Plan B, which suffers from two problems — one involving fairness, and one involving efficacy. First, fairness: If we decide as a nation that we want to augment the income of low-wage workers, it seems only right that we all share that responsibility. Plan A does that. By contrast, Plan B concentrates the cost of the wage subsidy on a small subset of businesses and their customers. There is no good reason this group has a special obligation to help those in need. Indeed, one might argue that this group is **already doing more than its share**. After all, it is providing jobs to the unskilled. Asking it to do even more, while letting everyone else off the hook, seems particularly churlish. But even putting fairness aside, there is reason to doubt the efficacy of Plan B. Taxing businesses that hire unskilled workers would alter their behavior in ways that would hurt those we are trying to help. To avoid the tax, businesses would have an incentive to hire fewer of these workers. For example, they would have greater incentive to replace workers with labor-saving machines. In addition, some of the tax would be passed on to customers in the form of higher prices. These customers, in turn, would have an incentive to spend more of their income elsewhere. Over time, these businesses would shrink, reducing the job opportunities for the unskilled. All in all, the Plan B tax-and-subsidy plan sounds like a pretty bad idea. Why, you might wonder, did I bring it up? Because it is the one favored by President Obama. He calls it an increase in the minimum wage. To be sure, the minimum wage isn’t exactly a system of taxes and subsidies. But its effects are much the same as those of Plan B. Unskilled workers earn more, and the businesses that hire them pay more. The main difference between the minimum wage and Plan B is that, under a minimum wage, the extra compensation is paid directly from the business to the worker, rather than indirectly via the government. When proposing to increase the minimum wage, President Obama said that “there’s no solid evidence that a higher minimum wage costs jobs.” In fact, many studies suggest that it does precisely that. Mr. Obama is like a physician who prescribes a medicine based on a few studies that find no side effects while ignoring others that report debilitating effects.

## Outsourcing Good DA

### Contractors Link

**Unions spurred by living wage reverse the trend of outsourcing.**

**Harvard 1**

Harvard (university in Boston; notable Harvard attendees include Barack Obama, J Robert Oppenheimer, and Jacob Pritt). Living Wage Memo. 2001. http://www.hcs.harvard.edu/pslm/livingwage/memo1.html

A living wage that binds for all workers at Harvard-whether directly employed by the university or by its subcontractors-would have a lasting impact on labor relations on this campus. Specifically, it would increase job stability for both people who would be directly impacted by the policy, as well as those currently earning more than ten dollars an hour. Such outcomes are due to the effect that a living wage policy would have on the practice of outsourcing. In recent years, corporate restructuring across America has taken advantage of weakened power of workers and unions to facilitate outsourcing of jobs to outside contractors. Often, these jobs are part-time, temporary, provide no benefits, and effectively bar employees from having any voice at the workplace. Harvard is no exception to the logic of cost cutting at the expense of the livelihoods of working Americans. Taking advantage of legal and institutional loopholes, on many occasions this university has engaged in such "corporate shielding." A simple example illustrates the incentives to employers for outsourcing. If organized Harvard employees feel that Harvard is unfairly denying them a raise, they have the recourse to strike. Of course, Harvard could get away with hiring strikebreakers, but this does impose additional costs. Yet, if those same employees working at Harvard were officially employed by a subcontractor, Harvard could switch to another outside contractor without incurring any additional costs. Intermediating through an outside contractor effectively bars the employees from exercising their rights at the workplace. By funneling jobs to the sectors where workers are least able to voice their demands, Harvard can bypass the legal and institutional safeguards which are in place to protect employees.

### Systemic Impact

Outsourcing helps other countries develop, improving their labor and environmental standards

**Cowen 4** writes[[5]](#footnote-5)

You and I approach trade issues very differently. Most importantly, you take a nationalist perspective. I believe that as economists we should take a broader, cosmopolitan perspective. Many Indians and other recipients of outsourcing investment are desperately poor by U.S. standards. It is both proper and in our long-term national interest to help India develop into a free and prosperous economy. Indians do not count for less simply because they stand outside of U.S. national borders. **To assert that poor**er **countries "take advantage of us" is to** beg the question and **deny** the **benefits of free trade**, which are commonly accepted by virtually all economists. Even the left-wing Paul Krugman remains a free-trade advocate. **Poor countries should not have** the same **environmental and labor standards that the U.S. does; they** simply **cannot afford them and do not have** the **requisite legal structures** to enforce them. **The best way to improve their standards is** to **help them grow rich, so outsourcing is part of the solution** in this regard. And outsourcing no more destroys American jobs than does technical progress. If we look at current unemployment, outsourcing has not been a major source of the problem. I'm all for improving the lot of the current unemployed. This is best done by private-sector training, including for-profit education. Our rather bureaucratic government has no comparative advantage in retraining displaced labor. And do you really expect the Republicans to allocate these funds according to economic merit, rather than future electoral advantage? Cutting the government deficit would restore long-run economic confidence. A broader safety net is important for humane reasons, but remember that it often hinders long-run economic adjustments rather than helping them. Welfare and unemployment insurance often lower the incentive to find a new job, relocate or retrain. We should not think of the safety net as the solution to an unemployment problem; rather it is a (necessary) exacerbation of that problem. I view the trade deficit as the symptom of our low savings rate rather than an issue per se. Furthermore, it is inconsistent to complain about outsourcing and the trade deficit at the same time. If we ran a trade surplus we would, as an accounting identity, have to export more capital. This would mean more outsourcing. And if the Chinese wish to subsidize American purchases by keeping their currency artificially low, we should be happy to buy at discount prices.

### Productivity Turn

Outsourcing’s key to productivity

**Cowen 4** writes[[6]](#footnote-6)

**Outsourcing helps us move to** higher paying and **more productive jobs**. For instance, **Asian producers were dominating the memory-chip market by the late** 19**80s**. Despite vociferous complaints, this hardly spelt disaster for U.S. high-tech endeavors. **Cheaper chips** and other components **allowed America**n semiconductor makers **to switch to higher-value microprocessors. The result**ing information-technology boom **has boosted** American **productivity growth**. Cheaper software or phone-answering services will bring similar results, albeit not immediately in every case. Insourcing, as traditionally defined, accounts for more than 6.5 million jobs nationwide. U.S. companies operate about 10 million positions abroad, but the balance of insourcing vs. outsourcing has been moving in our favor. In the critical area of business services, the U.S. regularly runs a multibillion-dollar trade surplus. Critics expect American wages to fall toward world levels as outsourcing grows. Most likely, even extreme outsourcing will boost long-run real wages. **Outsourcing resembles technical progress** in its economics; in both cases, we procure something more cheaply, whether it is produced by machine or by Indians. We have had dramatic technical progress now for several hundred years. While particular groups take short-run losses, real wages have risen across the board. It is because we shed low-productivity jobs that we move to a wealthier and more-productive set of options. The core intuition of the critics is that U.S. "unskilled labor" will someday earn or approach the real wages of India or China. But American workers at many different skill levels are uniquely situated -- in terms of economic, legal and social contexts -- to be mobilized into new and growing sectors. An uneducated American worker is not close to the same as an uneducated Indian worker in this regard. Everyone has some skills, and American entrepreneurs constantly find ways to make a given set of skills count for the most, often relying on productive interactions. In other words, the value of skills is determined by a region's core general capital structure. Indian outsourcing firms, in contrast, usually build self-sufficient economic islands, many of which have to produce their own infrastructure. These ventures face strong natural limits.

# Case Answers

## AT Jackson’s R6 Framework

**AT: Kennan**

1. Kennan has no warrant.

2. Prefer Waltman; he cites the constitutive role of the state.

3. Empirics prove freedom-preserving states are more effective. It ensures checks and balances which are a key safeguard on totalitarianism.

**AT: Conflicting Side Constraints**

1. My framework solves; it’s not an absolute constraint. Pettit frames autonomy as a sliding scale.

2. No link to non-domination; it’s a state-specific and relational account of freedom, which means it accounts for values conflicts.

3. TURN – util fails because there are infinite possible consequences to account for in any values conflict.

4. TURN – util fails because happiness is unverifiable, so it would be impossible to know whether one person in the values conflict is a utility monster.

**AT: Intentions**

No link to the intentions argument; my framework is derived from Pettit, who’s a consequentialist. My contention is about the distribution of burdens, not the intention.

## Pre-empts

### AT: No Neg RVIs

Neg gets RVIs if I don’t run theory. Key to reciprocity. Also key to deter the 1AR from using blippy theory to minimize topic engagement. If the 1AR was too skewed to win substance, she should collapse to 4 minutes of theory anyway.

They say chilling effect,

1. No uniqueness – theory is over-used now. Try or die for the neg.

2. Turn – chilling good. Theory’s uneducational and makes me sad. Outweighs on **magnitude** because it’s literally destroying topic debate.

3. TURN – I outweigh on **probability**. Over-chilling is empirically denied by the last 3 years of RVI debates.

4. TURN – I have a **stronger link**. Theory is totally no risk but RVIs aren’t because the neg can always win theory against abusive NCs to moot the RVI.

### AT: Presumption

Don’t vote on presumption or permissibility because human fallibility means there’s always a nonzero risk of offense.

### AT: Competing Interps

Gutcheck against dumb theory.

Competing interps kills accessibility. **Imas 12** writes[[7]](#footnote-7)

By its very nature, **theory** debate **is** one of the most **arcane** parts of debate. What other competitive activity sees participants spend half of their competition trying to figure out what the rules are for the game in the first place? Very few people (if any), at least on the national circuit, would say that theory has no role in LD debate, **but competing interp[s]**retations, however, **takes theory** debate **to a whole new level. First,** it has mounted a significant following of those who believe that no counter-interpretation means you auto-lose. I think that this kind of requirement, even under competing interpretations, is somewhat meaningless, as long as the judge simply assumes that a lack of an explicit interpretation means you just assume the debater is advocating a rule that is the opposite of the original interpretation. Regardless, holding debaters to **this** kind of **standard requires** knowledge of theory that extends not only to **figuring out how to craft an interp**retation**/counter-interp**retation, but also to crafting one that is strategic so that you don’t lose for something you didn’t do. This is **compounded by the fact that LD has no set of resources** that debaters can use **to learn about** the intricacies of **theory** debate without attending camp or hiring a coach. This obviously isn’t a unique problem with theory, but I believe that competing interpretations severely exacerbates this problem, as other obscure parts of debate i.e. meta-ethics can be read about and other LD-related concepts can be learned from some of the NFL Online videos. **Second, it** holds debaters to standards that **make[s] it impossible to answer abuse claims without knowing what** kind of **arguments the judge will** actually **care about. A typical person’s response** to someone claiming that they acted unfairly would be to dismiss that claim by arguing that they didn’t hurt them in any way. Under competing interpretations, this **is insufficient because a “risk of offense”** on the theory debate **means** that **they** would **lose anyway**s and any contrived claim is enough because “it’s not what you do, it’s what you justify.” **This further drives theory** debate **in a hopelessly inaccessible direction.**

### General

The neg gets to answer spikes in the 2NR.

**Some schmuck 4-21** writes[[8]](#footnote-8)

Here I will give a number of reasons to think that **it is unreasonable to expect the negative to answer spikes before they are applied in the 1AR**. I recognize that the common assumption is that one may respond to the application of spikes e.g. the ‘violation’ but it is my position that one should actually be able to respond to any part of the argument. First, **you can only assess an argument** by **knowing the way it is used. Because different uses of the same premise**, will give the argument more or less credence. If I have a set of premises that entail a conclusion, those premises may cause me to accept the conclusion. However, I could also, given how much I doubt the conclusion give up on the premises. Thus for instance, if I started with the premise ‘I am not dreaming right now’ (which I do not think I am) that would lead me to think ‘I really am on a bus going to the airport.’ However, if that premise lead me to think ‘that really is my prize watermelon yodeling over the Swiss Alps, I would instead have reason to rethink my premise (perhaps I am dreaming after all). (Incidentally this is one of several reasons why the idea of a ‘skep trigger’ does not make sense. Just because my premise was strong enough to be part of an argument that your moral theory is false, does not mean it is strong enough to be part of an argument that no moral theory is true). . Now, **before someone applies a spike, the strength of the conclusion is not there**. Will the RVI apply to I-meets or only counter interpretations? Will the 1AR do something abusive that I will want to read theory against? Does prefer aff offense mean ‘always prefer’ or just ‘give it some higher credence’? Will no Neg RVIs suddenly apply to even if they read 3 new shells in the 1AR? **The spike may seem** reasonable in the context of the AC, but **unreasonable in the context of the 1AR**. A good example is a round I saw this last weekend. The affirmative read a spike that basically said the negative can only have one layer of offense (like only substance or only theory). The negative missed it and read theory and an NC. The aff extends it, but then also goes heavily for ‘reasonability’ against the negative theory. Now, by the ‘reasonability threshold’ the 1AR read it was clear that the spike was ‘unreasonable.’ I feel we should all agree that the negative should be allowed to argue that in the context of reasonability in the 1AR the spike should not be applied, however it strikes me that if all spikes are first ‘applied’ in the 1AR and thus the context of the 1AR should be provided to answer the argument. Therefore, given that one cannot assess the ‘conclusion’ of the spike, because the conclusion assumes the context of the 1AR, there it is unreasonable to expect the negative to try to answer the argument.

Spikes are esoteric, so the neg should get to contest them once they’re complete args. Prefer my evidence; it has a Wittgenstein quote

**MT 4-21** writes[[9]](#footnote-9)

A second reason to think this is the **specialized vocabulary** that **has grown up around debate terms. What** exactly **does it mean to ‘prefer,’** what is ‘comply or conflict,’ **what** exactly **is entailed by ‘competing interp**retation**s,’** what does it mean for X to be a ‘voter,’ **what are the conditions of ‘fairness’**. I assume that no one thinks that fairness or education are monolithic concepts, thus I might agree with you that the argument is ‘educational’ in the way you use the word education, but not in the sort of education debate should value. **Until the entire argument is out there and put to use, there is no framework of verification for what those words mean.** Debaters from different regions, camps and contexts will interpret different spikes differently and thus we should wait to verify how it used before being expected to answer it. Once when expressing this opinion, it was responded that debaters should just make the argument that the implication was unclear and they can have that debate in round. The problem is, that debate starts too late. The negative does not get a chance to contest the application of the spike till the 2nr, and any judge will tell you it is basically impossible to assess a debate that start in the 2nr, the judge will almost always just end up siding with which opinion they think is right (which will again stem from their region, school, camps etc.). **No article would be complete without a** dubiously applied, decontextualized **aphorism of Wittgenstein’s** so I will end this argument with **“For a large class of cases of** the employment of **the word ‘meaning’**—though not for all—this way can be explained in this way**: the meaning of a word is its use in the language”** (PI 43, emphasis added).

Aff has side bias.

(a) Living wage lit is insanely aff biased, which is especially true for contractors.

(b) Aff speaks first and last and has infinite prep time.

## Contention

### Poverty (Consensus)

**Living wage ordinances cause poverty; consensus of economists**

**Quigley 1**

William Quigley, Law Professor-Loyola University New Orleans, 2001, "Full Time Workers Should Not Be Poor: The Living Wage Movement," Mississippi Law Journal, Spring, 70 Miss. J.J. 889, p. 935-6

Opponents of living wages argue that these ordinances could potentially increase the local poverty rate and cost too much. A survey of over 300 economists conducted in 2000 for the Employment Policies Institute, a nonprofit research organization generally opposed to raises in both the minimum wage and the enactment of living wage ordinances, found that nearly eight in ten of the labor economists surveyed thought living wage ordinances would result in employers hiring higher skilled workers, and over 70% said the laws could potentially reduce the number of entry-level jobs and thus increase the local poverty rate. [n180](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true" \l "n180) The opposition also suggests that living wage ordinances increase the cost of governmental contracts. Pasadena, California, estimated their living wage ordinance cost to be about $ 200,000 for the year 2000; Cambridge, Massachusetts, estimated its cost at $ 300,000; Madison, Wisconsin, estimated its cost at $ 47,000. [n181](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true" \l "n181) While there is certainly some cost associated with living wages, this article will not join in the aforementioned melee of economists. Others disagree. [n182](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true" \l "n182)

### Compliance

#### Monitoring compliance with living wage ordinances is difficult. Baltimore proves.

**Niedt et al 99** write[[10]](#footnote-10)

**Since the ordinance was** first **implemented, there have been several reports of** ongoing **violations**. Also, **there has been** some **ambiguity concerning when contractors must pay the living wage**, especially contractors with long contracts or options for extension. Whatever the cause of noncompliance, the result would be to reduce the upward pressure on costs to the city. A significant example concerns the bus contracts that make up such a large proportion of the contracts on which we were able to develop comparable data. **The majority of bus companies were not in compliance** during the first half of FY 1997 **due to** a **dispute over** the nature of bus **contract extensions**. At this point, wages were scheduled to rise to $6.60 an hour, but most companies continued paying at the FY 1996 rate of $6.10 an hour. Other bus companies were found to be in noncompliance since January 1997 (i.e., the second half of FY 1997). Compliance, in principle, is enforced by **the city Wage Commission**, which **must sift through payroll data on every worker. Because of** the **voluminous data and the small staff**, the commission has so far been able to monitor only bus contracts. But, as shown below, this **monitoring has not guaranteed compliance.**

### Turnover

#### Low turnover harms low-skilled workers, and their evidence doesn’t deny labor substitution effects

**EPI 1** writes[[11]](#footnote-11)

Second, although **the turnover argument** has logical appeal and has some support in empirical research, it **misses an important dimension of** how **low-skill labor markets** operate. **One of the consequences of** a **lower** rate of voluntary **turnover is that employers post fewer job vacancies because there is less need to replace workers who quit. This** drop in job vacancies once again **hurts** most severely **the low-skilled, who** are known to **have limited labor force attachments** and who will suffer from the fewer job openings.17 Also, notwithstanding any cost savings realized from lower turnover, firms still have incentives to substitute capital and higher-skilled workers for low-skilled workers because the cost of low-skilled labor has been forced up.18

### Bargaining Power

#### Living wage is useless for organizers.

Lange 14

Jonathan Lange (Labor organizer, former living wage advocate). “Why Living-Wage Laws Are Not Enough—and Minimum-Wage Laws Aren’t Either.” The Nation. 25 November 2014. http://www.thenation.com/article/191513/why-living-wage-laws-are-not-enough-and-minimum-wage-laws-arent-either

I am a lifelong organizer—in labor and community settings—and am proud to say that I helped spearhead the living-wage campaign in Baltimore twenty years ago this fall. Our campaign was led by the religious leaders of BUILD—Baltimoreans United in Leadership Development, an affiliate of the Industrial Areas Foundation—along with a team of determined low-wage service workers. While we received support from the American Federation of State, County, and Municipal Employees (AFSCME), this effort was conceived, planned, implemented and owned by local civic and clergy leaders alongside local workers. We won in Baltimore. Then, two years later, with almost no support from organized labor, we won in New York City. And we found that we had sparked a wave of living wage battles in cities and counties across the country that continues to this day. It pains me to say this, but I now believe that the effort going into raising the minimum wage and passing living-wage bills **fails to address the fundamental cause of low wages** and terrible conditions: a lack of worker power. Those who believe, as I do, that workers deserve a living wage and decent benefits, can’t ignore the fact that **twenty years of mobilizing** around higher minimum wages and legislated living-wage standards have not closed the wage gap. **That gap has continued to grow**. **And** the rate of growth has **accelerated**. It’s not a gap that will be filled by legislated solutions. It can and will only be filled by organized workers willing to fight for better wages and benefits in their own workplaces.

#### TURN – plan gives unions the power to screw over low wage workers

Bergen et al 7

C.W. Von Bergen (Professor Management & Marketing Department Southeastern Oklahoma State University), Ph.D., William T. Mawer, Esq. (Associate Professor Accounting and Finance Department Southeastern Oklahoma State University), and Barlow Soper (Professor Department of Psychology and Behavioral Sciences Louisiana Tech University), Ph.D. “Living Wage Ordinances in the Public Sector.” Public Personnel Management Fall 2007 vol. 36 no. 3 281-305. http://ppm.sagepub.com/content/36/3/281.abstract

Unions likewise have supported the idea of a living wage. For example, the AFL-CIO passed a resolution in 1997 to actively support local living wage campaigns. Additionally, economist David Neumark, who has studied the living wage movement, suggests that union self-interest has played a pivotal role in building momentum for living wage legislation. In assessing the effects of living wages on unionized municipal workers, Neumark suggested that ordinances may offer “higher-paid municipal workers protection from low-wage workers, rather than offering protection for low-wage workers. In particular, by raising the wages that city contractors must pay, living wage laws may reduce the incentives for cities to contract out work that would otherwise be done by municipal employees.”45 As a result, unions representing city workers have increased bargaining power.

## Evidence Indicts

### AT Clain

**Can’t Solve Poverty; Clain’s Conclusion**

**Clain, 2007:**

How Living Wage Legislation Affects U.S. Poverty Rates Suzanne Heller Clain J Labor Res (2008) 29:205–218 DOI 10.1007/s12122-007-9028-8 Published online: 17 July 2007 # Springer Science + Business Media, LLC 2007

Note that **living wage legislation cannot be touted as an automatic cure-all in the struggle to eradicate poverty in any case. The magnitude of its effect is not large. Moreover, without the commitment of the local governments to the task of absorbing its cost, living wage legislation could easily go the way of the minimum wage.**

**AT Lester/ Jacobs**

**Lester and Jacobs Focus On Labor Standards; They Don’t Control For Living Wage**

**Lester and Jacobs, 2010:**

Creating Good Jobs in Our Communities How Higher Wage Standards Affect Economic Development and Employment - Lester and Jacobs November 2010 <https://www.americanprogressaction.org/wp-content/uploads/issues/2010/11/pdf/living_wage.pdf>

**Cities across the country are working to gain greater control over these projects and help create quality jobs by attaching wage standards to their economic development subsidies.** Communities **are linking labor standards to public development projects** in various ways, **including community benefits agreements and prevailing wage laws. But the most common and comprehensive policies are business assistance living wage laws, which require businesses receiving public subsidies to pay workers wages above the poverty level.** These economic development wage standards have successfully raised pay for covered workers. Yet opponents of these standards argue that such laws prevent businesses from creating jobs and thus help some workers at the expense of employing more workers. Some business leaders and developers also claim that adding labor standards to economic development projects will scare away potential investors by sending an “antibusiness” signal. **This report examines these** claims **and finds that economic development wage standards** have no negative effect on citywide employment levels. This casts serious doubt on arguments that standards dampen municipalities’ ability to use subsidies to attract new businesses or create negative business climates where all firms avoid investment.

**AT: Page**

**Living Wage Isn’t Key, And The CP Solves; Their Author**

**Page, 2014:**

Are Jobs the Solution to Poverty? by Marianne Page Pathways Summer 2014 https://web.stanford.edu/group/scspi/\_media/pdf/pathways/summer\_2014/Pathways\_Summer\_2014\_Page.pdf

**An antipoverty policy** that focuses on jobs and employment **will need to be targeted to the current employment regime** if it is to have any payoff. A simple policy of “more jobs” has become a less viable poverty solution, but there may be a package of more targeted policies that, taken together, could have substantial poverty-reducing effects. **The first, and especially important, part of this package is to promote wage growth within the low-skill sector. This might be done by increasing the minimum wage, further increasing the EITC, or through other interventions in the labor market such as skill-enhancing training programs.** The second part of this package is a strong unemployment insurance (UI) system, which plays a critical role in reducing poverty associated with recessions because it provides temporary partial-wage replacement to involuntarily unemployed workers, many of whom have incomes near the poverty line. Indeed, because the rate at which UI replaces earnings varies (negatively) with earnings, UI provides relatively greater protection to low-wage workers. In most states and years, UI benefits can be received for a maximum of 26 weeks, but during the most recent recession Congress enacted emergency extensions that increased benefits in most states to 99 weeks. These UI benefits make it possible for families to maintain their prior levels of food consumption (an important determinant of well-being) in the aftermath of a job loss.

**AT CRA**

**CRA Is About The New York Model, Which He Doesn’t Defend**

**CRA, 2011:**

The Economic Impacts on New York City of the Proposed Living Wage Mandate Prepared By: Charles River Associates: Matthew Thompson Marsha Courchane Copyright 2011 Charles River Associates

**One important component of this research is the specific living wage mandate proposed for New York City.** In particular**, the draft legislation informs the determination of the parameters under which the simulations are conducted, and this affects the measurement of the impacts on city residents and real estate development investment. The analyses here were developed based on Int. No. 251-2010, a proposed administrative code amendment to local law. In the NYC-specific proposal, the mandate includes coverage for recipients of “financial assistance.” In other studies and other cities this is usually referred to as a “business assistance living wage” mandate.**

### AT: Holtom

#### Doesn’t Apply To Contractors; Their Card Recut

Holtom, 2012:

The Long-Term Influence of Service Employee Attrition on Customer Outcomes and Profits Mahesh Subramony1 and Brooks C. Holtom2 Journal of Service Research 15(4) 460-473 ª The Author(s) 2012 Reprints and permission: sagepub.com/journalsPermissions.nav DOI: 10.1177/1094670512452792 http://jsr.sagepub.com

We proposed and tested an integrated model of unit-level attrition, customer-related outcomes, and profit within the context of a relationship-based service business. Using time-lagged data, we demonstrated the negative effect voluntary turnover has on CESD [customer evaluation of service delivery] and their subsequent impact on [service brand image] SBI. Downsizing was shown to have a negative impact on customer orientation, which also influences SBI. We did not find a negative relationship between downsizing and CESD. Finally, we observed a strong relationship between service-brand image and profits. In short, the data confirm that high levels of attrition—whether through downsizing or voluntary turnover—have a negative impact on customers’ image of the service brand, which predict subsequent declines in unit profitability. Theoretical Implications The results of our analyses suggest that employee attrition has significant negative effects on the performance of business units. In addition, by demonstrating that CESD fully mediates the relationship between voluntary turnover and SBI and that customer orientation fully mediates the relationship between downsizing and SBI, we have taken an initial step in clarifying the contents of the ‘‘black box’’ between turnover and its performance-related consequences (Hausknecht and Trevor 2011; Holtom et al. 2008). These findings and the underlying theoretical mechanisms are likely to extend to contexts where customers interact with the same employee more than once, and where an understanding of a customer’s idiosyncratic needs is critical in order to provide high service levels. These contexts include many personal service settings (e.g., financial services, health care, child care) as well business-to-business relationships (e.g., industrial suppliers, professional service firms). Additionally, as Hausknecht and Trevor (2011, p. 355) noted, ‘‘involuntary turnover dynamics are not well understood.’’ This fact coupled with the pervasiveness of reductions in force or downsizing in the United States (U.S. Department of Labor 2010) point to the importance of these empirical results. Not only is the financial impact made clear but also insights into the process by which it occurs are illuminated. Contrary to our prediction and the findings of McElroy and associates (2001), downsizing was not found to negatively influence CESD. While the reason for this finding is not completely clear, it is possible that the downsizing units in our sample were able to prevent short-term disruption to their operations by a more efficient use of their remaining employees. However, it should be noted that downsizing did have a significant negative influence on employees’ customer orientation levels, which is likely to translate into lower CESD levels in the long term. Implications for Practice The organizational behavior literature is rich with theory and associated practical recommendations for organizations desiring to reduce voluntary turnover. For many years, researchers have advocated increasing JS (Hackman and Oldham 1978) or organizational commitment (Mowday, Porter, and Steers 1982) as methods for stemming turnover. More recently, perceived organizational support (Eisenberger et al. 1986) and job embeddedness (Mitchell et al. 2001) have gained traction as theories with strong empirical support and rich recommendations for combating high levels of voluntary turnover. For example, in addition to looking at the fit an employee has with the organization, the links he or she has developed with people inside the organization and the sacrifices that would be incurred if he or she were to leave, job embeddedness looks at a person’s fit with, links in and benefits associated with the community where he or she lives (Mitchell et al. 2001). This gives the manager multiple ports for influencing employee connections to the job and surrounding area, thereby increasing the probability of staying. Though relatively less is known about the effects of downsizing, both the decision and the process by which it occurs are controlled directly by managers. Thus, the primary practical implication of this work as it relates to downsizing is to be cognizant of its potential impact. Similar to the delay in observing the positive effect from marketing actions or service enhancements designed to improve satisfaction (van Doorn 2008), the negative effects of downsizing are most likely to be delayed. Thus, while there are obvious financial savings from planned attrition, there may be material long-term financial implications from downsizing that managers may not predict. However, these hidden costs from downsizing and turnover may be significant and therefore important for managers to anticipate. There are a number of ways that these effects might be mitigated by addressing the mediators of the relationship with SBI directly. Specifically, the leader of a unit experiencing high rates of voluntary turnover would be well advised to reemphasize to remaining employees the importance of communicating effectively with clients to provide personalized service in order to maintain positive CESD. Similarly, knowing that downsizing affects perceptions of customer orientation, organizations that opt to downsize can try to reduce this impact by developing specific training for remaining employees that emphasizes listening to clients, partnering with them to develop effective responses in a timely manner, and ensuring that a consistent understanding of what constitutes positive service delivery exists. Our results also highlight the importance of emphasizing customer orientation among employees. High levels of customer orientation can be obtained by selection customerfocused employees, training them in customer-related attitudes and skills, and rewarding them for customer-oriented behaviors like responsiveness, helpfulness, and relationship building (Schneider and Bowen 1995). Further, notwithstanding evidence that time-lagged relationships reported are generally weaker than concurrent relationships, we found strong support for the mediating role of CESD in creating positive SBI and profits. Because this variable was measured using data directly from customers, we believe that the role employee continuity plays in maintaining functional relationships between the organization and its customers cannot be ignored. While the direct costs of voluntary turnover are well known (e.g., recruitment, testing, selection, training), this research adds insight into the indirect costs of attrition on profitability. In order to demonstrate the practical implications of this study, we estimated the differences in CESD and customer orientation rates for high and low attrition units as well as the profitability of units with high and low SBIs. We found that units that had high levels of voluntary turnover (i.e., at or above the 80th percentile; voluntary turnover rates at or above 42%) had an average CESD score of 3.94, while those with low voluntary turnover rates (i.e., at or below the 20th percentile; voluntary turnover rates at or below 20%) had an average CESD score of 4.19—a significant quarter scale point difference. Similarly, units that engaged in high levels of downsizing (i.e., at or above the 80th percentile; downsizing rates at or above 19%) had an average customer orientation score of 3.93, while the units with low downsizing rates (i.e., at or below the 20th percentile; downsizing rates at or below 8%) had an average customer orientation score of 4.38—a significant difference of almost a half scale point. More interestingly, units with lower levels of SBI (i.e., at or below the 20th percentile; values of 4.12 and below) had unit profits of $485,978 as compared to profits of $1,970,888 for units with higher SBI levels (i.e., at or above the 80th percentile; values of 4.34 and above). In other words, units that had strong SBIs tended to be more than 4 times more profitable than units with weaker SBIs. These findings highlight the financial benefits of creating positive SBI in the minds of customers, as well as the importance of controlling employee turnover, and improving customer orientation and service delivery levels. Strengths, Limitations, and Future Research Directions One of the key strengths of this study is the use of a data set with time-lagged measures. Recently, Roe (2008) found that less than 10% of all studies published in applied psychology journals incorporated time into their theoretical framework and that fewer than 6% actually tested the temporal aspects of theorized relationships. Specific to the domain of collective turnover, 72% of studies examine it using a 1-year window. Given that proper understanding of the cause-effect timing is critical to detecting causal relationships (Mitchell and James 2001), we believe the focus on the multiyear process is critical. This study has additional methodological strengths including the control of common source variance through the use of multiple data sources and the statistical control of extraneous variables (e.g., unit size, unemployment rates) that could affect key relationships.

#### Holtom Isn’t About Contractors; Here’s The Methodology

Holtom, 2012:

The Long-Term Influence of Service Employee Attrition on Customer Outcomes and Profits Mahesh Subramony1 and Brooks C. Holtom2 Journal of Service Research 15(4) 460-473 ª The Author(s) 2012 Reprints and permission: sagepub.com/journalsPermissions.nav DOI: 10.1177/1094670512452792 http://jsr.sagepub.com

Method Sample and Procedure Our sample consisted of staff and customers associated with 64 regional offices of a THS firm in the United States. This firm employs full-time staff who recruit and manage contingent workers delivering a variety of limited-term administrative (e.g., data-entry, filing) and professional/skilled (e.g., quality technician, electronic assembly, computer programming, and accounting) services to over 40,000 client organizations in the United States. For instance, this firm deploys IT workers to companies requiring programming and data entry work for a limited duration, or accountants at the end of the fiscal year to small companies without accountants on their full-time staff. Each regional office in this sample was a semiautonomous unit with its own annual objectives and performance metrics. Voluntary turnover and downsizing data for full-time staff for these units were obtained for the year 2005 for 64 units. All customer data for these units were collected through telephone surveys of random samples of contact persons working for the customer organizations by a market research company contracted by the THS firm.

### AT Hull

#### No Link To Hull; His Holtom Evidence Says Firms Become More Profitable Because Customers Like The Firm, Then His Hull Evidence Says Firm Productivity Is Important. Profit And Productivity Aren’t The Same Thing

## AT: Prefer Aff Empirics (Maloney)

### Maloney Negates

#### Maloney concludes neg in the next paragraph. Best case scenario is that the aff does almost nothing.

Maloney 13

Maloney, Tim with Gilbertson, Amanda (2013). A literature review on the effects of living wage policies. Prepared by Tim Maloney, Auckland University of Technology for Auckland Council. Auckland Council technical report, TR2013/034

**\*\*\*[Brentwood’s evidence begins]**

One of the most surprising results from the U.S. literature is that there is evidence that living wage laws have the intended effects in reducing poverty rates. This finding has often been ignored in surveys of this U.S. literature, and is striking because it runs counter to the consensus in the minimum wage literature of extremely small if any associated anti-poverty effects. Neumark and Adams found fairly consistent evidence that employer-assistance living wage policies lead to small reductions in overall city poverty rates. Clain (2008) using an entirely different data source confirmed this general result, by finding that county-level poverty rates declined “modestly” with the introduction of a living wage ordinance in the area.

**\*\*\*[Brentwood’s evidence ends]**

3. Implications What do these literature results mean for the possible adoption of a living wage provision in Auckland or elsewhere in New Zealand? Holzer (2008) reviewed the existing U.S. living wage literature at the time and concluded that the effects of living wage policies (either positive or negative) **were likely at best to be “modest”**. This same general conclusion holds **with the updated literature**. This is partly because such policies directly affect small proportions of the prevailing workforce. This doesn’t mean that such laws shouldn’t be enacted. Even small positive benefits for specific groups of low-wage workers and their families may be better than nothing.

### Prefer Neg Empirics

#### Reject aff empirics. The data’s skewed because business-focused cities – where living wage would be worst – don’t pass living wage laws

Bergen et al 7

C.W. Von Bergen (Professor Management & Marketing Department Southeastern Oklahoma State University), Ph.D., William T. Mawer, Esq. (Associate Professor Accounting and Finance Department Southeastern Oklahoma State University), and Barlow Soper (Professor Department of Psychology and Behavioral Sciences Louisiana Tech University), Ph.D. “Living Wage Ordinances in the Public Sector.” Public Personnel Management Fall 2007 vol. 36 no. 3 281-305. http://ppm.sagepub.com/content/36/3/281.abstract

As **living wage ordinances** become more popular, it is important to consider the effects of these laws on communities, low-wage workers, poor families and employers. Only then can policymakers, employer organizations, labor unions, worker rights alliances and voters make informed judgments regarding the merits and drawbacks of such regulations. Each community or public entity must determine whether or not the benefits of living wages outweigh the detriments. Legislative groups which are socially oriented are more likely to adopt a living wage concept, while **those who are more fiscally oriented are less inclined to do so.** Table 3 provides a summary of the arguments for and against living wage ordinances.

# NR extensions

## Case

### Ev Comparison – Prefer Consensus

Prefer expert consensus

**LaBossiere 14** writes[[12]](#footnote-12)

3. The claims made by the expert are consistent with the views of the majority of qualified experts in the field. This is perhaps the most important factor. **As a general rule, a claim** that is **held as correct by the majority of qualified experts in the field is** the **most plausible** claim. The basic idea is that **the majority of experts are more likely to be right than those who disagree** with the majority. It is important to keep in mind that no field has complete agreement, so some degree of dispute is acceptable. How much is acceptable is, of course, a matter of serious debate. It is also important to be aware that the majority could turn out to be wrong. That said, the reason it is still reasonable for non-experts to go with the majority opinion is that non-experts are, by definition, not experts. After all, **if I am not an expert** in a field**, I would be hard pressed to justify picking the expert I happen to** like or **agree with against the view of the majority** of experts.

### Ev Comparison – Neumark and Adams

Living wage ordinances cause unemployment—this confirms earlier findings.

**Neumark and Adams 5** writes[[13]](#footnote-13)

**The results confirm** the findings of positive wage effects and **negative employment effects** of enacted living wages **on low-wage**, low-skill **workers**. In fact, the findings are generally very similar to the previous results using a broader control group. The evidence also suggests that there is no detectable impact of living wage campaigns themselves, apart from the legislation that results. The robustness of the findings to narrowing the control group to cities with failed or derailed living wage campaigns suggests that the more basic panel data research design recovers unbiased estimates of the effects of living wage laws. Recall that this seemed a particularly important question to explore in the context of living wages because others have argued that the rather large effects we have found may be partly attributable to the effects of campaigns; that is, some skepticism has been directed toward our estimates precisely on the basis of the type of argument we address in this paper. More generally, in empirical analyses of this type that identify effects of policies from variation in policies over geographical areas and time, there is a legitimate concern that the policy variation may be endogenous, so that apparent effects of the policy are in fact a reflection of changes that drove the policy variation, rather than the other way around. The robustness of the estimates of living wage effects that we find therefore suggests a couple of conclusions. First, **the** wage and **employment effects** we find **are** in fact **not** **attributable to** the effects of living wage **campaigns, but rather to the effects of the laws themselves**; in that sense, **our analysis solidifies the existing findings**. Nor are they likely attributable to endogeneity of the locations where living wage laws arise. Finally, in this particular context the reason we do not find a different answer using the control group of failed and derailed campaigns is that the usual toolkit applied in panel data contexts, including fixed city and year effects, and city-specific time trends, turns out to do enough to capture the important differences between the treatment and control group.24

Prefer my evidence—it’s better than other research

**Neumark and Adams 5** writes[[14]](#footnote-14)

Specifically, the **cities with unsuccessful living wage** campaigns **offer** three **advantages** relative **to earlier research. First, these cities** arguably **provide a** better **control group for comparison** with the cities that passed living wage laws, **as underlying changes in** low-wage labor **markets** that may have been associated with living wage laws **are more likely to have been similar in cities where** living wage **campaigns arose. Second, the cities with failed** or derailed living wage **campaigns allow us to estimate** the **effects** of living wages more **directly, by netting** out the possible **consequences of changes that accompany** living wage **campaigns**, stemming from influences such as increased organizing among lowwage workers and increased public focus on their conditions and wages. With respect to both of these points, it might be expected that smaller living wage effects on wages and employment would result, compared with evidence based on comparisons with the broader set of cities that simply did not pass living wage laws—irrespective of whether a living wage campaign occurred. And third, our approach yields estimates of the effects of living wage campaigns themselves.

## CP Frontlines

### AT: PDB

**Permutation Fails; Only The CP Alone Avoids Increasing Labor Costs. The Impact Is Unemployment, Discrimination, And Income Inequality**

**Harris, 2014:**

(Raise The Minimum Wage? No Subsidize Wage Instead. February 21, 2014. Larry Harris, Fred V. Keenan Chair In Finance At The USC Marshall School of Business. Chief Economist Of The SEC From 2002 To 2004)

Common sense supports this. The strongest principle of economics — **demand theory** — **maintains** that **people buy less when an item is costly and more when it is cheap. That means employers will buy less labor when wages are high and they'll offer more employment when labor is less costly to them. The Congressional Budget Office report** released Tuesday supports this view. Its nonpartisan analysts **predict that the proposed increase in the minimum wage to $10.10 an hour would cost the economy 500,000 jobs**. It's true that while some studies show the negative effect of raising the minimum wage, others show that has little or no downward impact on employment. Such contradictory results are due to the complexity of factors regarding employment. For example, employers rarely cut jobs immediately after a minimum-wage increase. They often wait for natural attrition to lower their head counts, or they may refrain from replacing employees when they know an increase is coming. But the absence of definitive evidence does not indicate that demand theory doesn't apply to increasing the minimum wage. It merely indicates that the effect is hard to measure. **Loss of jobs — overall and over time — isn't the only negative effect of mandating an increase in the minimum wage. When employers must pay above-market wages, the ratio of job seekers to available jobs rises, and that allows employers to pick and choose. With more workers to pick from, employers can more easily get away with basing their hiring decisions on race, color, religion, sex, national origin, disabilities or age. They also are more likely to practice legal forms of discrimination: When faced with many job candidates, employers tend to hire the most experienced workers. That** means those just starting out remain unemployed. **Worse, they lose the opportunity to build the work experience needed to obtain better jobs.** **Proponents of mandating higher minimum wages believe that higher wages can help level the lopsided income distribution in America.** Obviously, it would raise the incomes of minimum-wage employees. But to some extent this benefit **would be offset as other workers lose their jobs or work fewer hours. The increased labor costs that companies would pass on to consumers in the form of high product prices also would offset raised incomes. And some minimum-wage employers, whose customers can't afford to pay higher prices, would fail, again offsetting gains with lost jobs. What's a better way? Do away with minimum wages altogether and institute wage subsidies.** The government should give vouchers to unemployed workers seeking low-income jobs. Those vouchers would provide wage subsidies to employers who hire them. The subsidies would be based on the wages that the employers offer, with the greatest subsidies going to the lowest-wage jobs. **The subsidies would lower labor costs, thereby increasing the number of jobs employers offer to low-income workers.** Wages earned overall by the poor would increase, more young people would get jobs and gain valuable work experience, fewer people would be on the streets, fragile businesses could thrive and new companies would start up. **More jobs also would reduce welfare grants and increase payroll taxes, which could help fund the subsidies. Everyone would be better off as the subsidies lowered product prices and increased production.** To some extent, the government already has a wage subsidy plan; it's called the earned income tax credit. It lowers the income taxes of low-income workers. For those who make so little that they don't owe income tax, the credit provides income subsidies**. An increase in this credit also would flatten the income distribution. But the earned income tax credit does not help those who are unemployed. Wage vouchers are a better policy than the earned income tax credit because they immediately and obviously lower the cost of employing workers, so the number of jobs increases and the unemployment rate drops. L**egislating an increase in the minimum wage is the quintessential example of an unfunded government mandate. It's identical to a simultaneous tax and income transfer program. It unwisely taxes employers who create jobs, and it unfairly subsidizes only low-income workers who have jobs. **Subsidizing wages would be much better for the economy than raising the minimum wage.**

### AT: CP Theory

#### Aff strat solves abuse.

Thompson 14

Marshall Thompson (our judge). “Strategic Philosophical Casing.” Victory Briefs. December 2014.

Given that counterplans and turns pose such a threat for the negative how should the affirmative go about writing philosophical positons? The key will be for the affirmative to utilize offense that generic economic wellbeing does not coopt. Instead, the affirmative will want to tie their offense to something more intrinsic to a living wage. Rather than saying a living wage helps pull people out of poverty, it is better if you can argue that paying a living wage is necessary to provide dignity to someone as an employee. That way you can generate more focused and specific offense that is much harder for the negative to access.

#### CPs are key ground.

Thompson 14

Marshall Thompson (our judge). “Strategic Philosophical Casing.” Victory Briefs. December 2014.

The first thing is that good negative debaters will want to use counter-advocacies on this topic. The status-quo is not very attractive ground given the massive economic inequality that exists between employers and employees. Thus for many of these NCs pairing them with a counterplan will be quite effective.

#### My CP doesn’t trade off with philosophy

Thompson 14

Marshall Thompson (our judge). “Strategic Philosophical Casing.” Victory Briefs. December 2014.

The first thing is that good negative debaters will want to use counter-advocacies on this topic. The status-quo is not very attractive ground given the massive economic inequality that exists between employers and employees. Thus for many of these NCs pairing them with a counterplan will be quite effective. While not every NC will lend itself to being coupled with a counterplan, many of them will. Libertarianism Let’s start with the NC that least lends itself to counterplans. Libertarianism is an approach to political philosophy which argues that the government should not really get involved in the economy (except to enforce the law and stuff like that). However, often debaters have difficulty defending this position, because they don’t really understand the moral intuition behind it.

# \*\*\*Brophy Dedev AC\*\*\*

# File Summary

\*\*\*Strategic Notes

If the impact cards are still Speth 8, Reilly 2, Djordjevic 98, and Chase-Dunn and Podobnik 99, then this file is 100% ready to go. No need to write out analytics. The answers to his ev are written in.

The one thing you might want to do is spend 5 seconds explicitly conceding util and that the aff collapses the economy.

Not sure how fast you are, but the first priority before the round should be to time this to get an idea of how long it is. I put triple asterisks (\*\*\*) next to the less important cards, so those should be the first things to skip if you’re a bit low on time.

The water wars debate is pretty much unwinnable for the aff. There is such a huge differential in the quality of ev, that it’s not even close. If he’s not stupid, he’ll kick out of water wars in the 1AR. If he doesn’t kick it, you could consider only extending link turns and not impact defense, so that he’s stuck with it in the 2AR. There’s also another link turn to water shortage on the industrial ag section (Osmand and Gale 95).

There are two components of the sustainability/environment debate that you cannot forget about.

First is sustainability uniqueness. If you drop that the squo is unsustainable and extinction is coming now, then you’re kinda boned, so don’t forget to extend uniqueness. The file has both generic “world is getting better” UQ and also specific industrial agriculture ev, which is the scenario referenced by his ev.

Second is alt solvency. Don’t let him get away with explaining how the aff would transition to some magic hippy commune that somehow solves all your offense. There are a lot of cards on the sustainability debate that call into question alt solvency, e.g. that it would be dominated by fascists, or that small farms couldn’t feed everyone. Remember, post-plan, there are still 7 billion people on the planet, but we lack the infrastructure or large farms to feed them all. Not to mention, there is the risk of violent transition wars in the interim.

The soil erosion scenario makes an independent extinction claim that’s pretty isolated from the rest of the debate, so if he doesn’t answer soil erosion, then that’s an easy out.

The last card in the war section is an answer to analytics like “empirically denied; 2008 recession didn’t cause war.” It’s not strictly necessary in the NC, but it would be a good NR answer if the aff makes an argument to that effect.

The 2NR should include either a “war turns environment” or “environment turns war” plus magnitude and/or timeframe weighing. Decide which part of the debate you’re most ahead on, and say that part of the debate outweighs the rest.

But seriously, time the speech.

\*\*\*End of Strategic Notes

# Water Shortage

## Top Level

### All Your Shit is So, So Wrong

#### Growth is sustainable, and water wars aren’t a thing. Every study conclusively goes neg.

Allouche 11

Jeremy Allouche 11 is currently a Research Fellow at the Institute of Development Studies at the University of Sussex. "The sustainability and resilience of global water and food systems: Political analysis of the interplay between security, resource scarcity, political systems and global trade" Food PolicyVolume 36, Supplement 1, January 2011, Pages S3-S8 Accessed via: Science Direct Sciverse

Water/food resources, war and conflict

The question of resource scarcity has led to many debates on whether scarcity (whether of food or water) will lead to conflict and war. The underlining reasoning behind most of these discourses over food and water wars comes from the Malthusian belief that there is an imbalance between the economic availability of natural resources and population growth since while food production grows linearly, population increases exponentially. Following this reasoning, neo-Malthusians claim that finite natural resources place a strict limit on the growth of human population and aggregate consumption; if these limits are exceeded, social breakdown, conflict and wars result. Nonetheless, it seems that most **empirical studies do not support any** of these neo-**Malthusian arguments.** Technological change and greater inputs of capital have dramatically increased labour productivity in agriculture. More generally, the neo-Malthusian view has suffered because during the last two centuries humankind has breached many resource barriers that seemed unchallengeable. Lessons from history: alarmist scenarios, resource wars and international relations In a so-called age of uncertainty, a number of alarmist scenarios have linked the increasing use of water resources and food insecurity with wars. The idea of water wars (perhaps more than food wars) is a dominant discourse in the media (see for example Smith, 2009), NGOs (International Alert, 2007) and within international organizations (UNEP, 2007). In 2007, UN Secretary General Ban Ki-moon declared that ‘water scarcity threatens economic and social gains and is a potent fuel for wars and conflict’ (Lewis, 2007). Of course, this type of discourse has an instrumental purpose; security and conflict are here used for raising water/food as key policy priorities at the international level. In the Middle East, presidents, prime ministers and foreign ministers have also used this bellicose rhetoric. Boutrous Boutros-Gali said; ‘the next war in the Middle East will be over water, not politics’ (Boutros Boutros-Gali in Butts, 1997, p. 65). The question is not whether the sharing of transboundary water sparks political tension and alarmist declaration, but rather to what extent water has been a principal factor in international conflicts. The evidence seems quite weak. Whether by president Sadat in Egypt or King Hussein in Jordan, none of these declarations have been followed up by military action. The governance of transboundary water has gained increased attention these last decades. This has a direct impact on the global food system as water allocation agreements determine the amount of water that can used for irrigated agriculture. The likelihood of conflicts over water is an important parameter to consider in assessing the stability, sustainability and resilience of global food systems. **None of the various and extensive databases on** the **causes of war show water as a casus belli.** Using the International Crisis Behavior (ICB) data set and supplementary data from the University of Alabama on water conflicts, Hewitt, Wolf and Hammer found only seven disputes where water seems to have been at least a partial cause for conflict (Wolf, 1998, p. 251). In fact, about 80% of the incidents relating to water were limited purely to governmental rhetoric intended for the electorate (Otchet, 2001, p. 18). As shown in The Basins At Risk (BAR) water event database, more than two-thirds of over 1800 water-related ‘events’ fall on the ‘cooperative’ scale (Yoffe et al., 2003). Indeed, if one takes into account a much longer period, the following figures clearly demonstrate this argument. According to studies by the United Nations Food and Agriculture Organization (FAO), organized political bodies signed between the year 805 and 1984 more than **3600 water**-related **treaties**, and approximately 300 treaties dealing with water management or allocations in international basins have been negotiated since 1945 ([FAO, 1978] and [FAO, 1984]). The fear around water wars have been driven by a Malthusian outlook which equates scarcity with violence, conflict and war. There is however no direct correlation between water scarcity and transboundary conflict. Most specialists now tend to agree that the major issue is not scarcity per se but rather the allocation of water resources between the different riparian states (see for example [Allouche, 2005], [Allouche, 2007] and [Rouyer, 2000]). Water rich countries have been involved in a number of disputes with other relatively water rich countries (see for example India/Pakistan or Brazil/Argentina). The perception of each state’s estimated water needs really constitutes the core issue in transboundary water relations. Indeed, whether this scarcity exists or not in reality, perceptions of the amount of available water shapes people’s attitude towards the environment (Ohlsson, 1999). In fact, some water experts have argued that scarcity drives the process of co-operation among riparians ([Dinar and Dinar, 2005] and [Brochmann and Gleditsch, 2006]). In terms of international relations, the threat of water wars due to increasing scarcity does not make much sense in the light of the recent **historical record**. Overall, the water war rationale expects conflict to occur over water, and appears to suggest that violence is a viable means of securing national water supplies, an argument which is highly contestable. The debates over the likely impacts of climate change have again popularised the idea of water wars. The argument runs that climate change will precipitate worsening ecological conditions contributing to resource scarcities, social breakdown, institutional failure, mass migrations and in turn cause greater political instability and conflict ([Brauch, 2002] and [Pervis and Busby, 2004]). In a report for the US Department of Defense, Schwartz and Randall (2003) speculate about the consequences of a worst-case climate change scenario arguing that water shortages will lead to aggressive wars (Schwartz and Randall, 2003, p. 15). Despite growing concern that climate change will lead to instability and violent conflict, the evidence base to substantiate the connections is thin ([Barnett and Adger, 2007] and [Kevane and Gray, 2008]).

## Link Turns

### AT: Speth 8

His water wars link card is about population growth, not economic growth.

It’s also not reverse causal. Even if he wins that growth caused water shortage, that doesn’t mean economic collapse will solve it. Speth cites factors like species extinction, which obviously can’t be reversed.

### Desalination

#### Growth drives rapid advancement in desalination tech, which solves the water shortage

**SBI 11**

[SBI Energy, a division of MarketResearch.com, publishes research reports in the industrial, energy, building/construction, and automotive/transportation markets, “Global Desalination Market will Grow 320.3% by 2020, Driven by Reverse Osmosis,” August 23, <http://www.sbireports.com/about/release.asp?id=2267>]

Depleting water supplies, coupled with increasing water demand, are driving the global market for desalination technology, which is expected to reach $52.4 billion by 2020, **up 320.3%** from $12.5 billion in 2010. According to a recent report from energy research publisher SBI Energy, membrane technology reverse osmosis will see the largest growth, reaching $39.46 billion by 2020. The increasing world population, which is estimated to reach 7.52 billion by 2020, up from 6.85 billion in 2010, is depleting a limited fresh water supply with agricultural demands and urbanization leading to more water consumption per person across the globe. According to the report, industrialization is spreading advanced water extraction technology, which is quickly diminishing water resources. "**Economic and population growth are the largest drivers for desalination tech**nology," said Shelly Carr, publisher of SBI Energy. "The explosive growth of this market is due to a solution-based alternative to the diminishing supply of the world's most important resource." Desalination technology involves extracting salt and other unwanted minerals from saltwater or brackish water in order to produce fresh water. There are two types of technologies: thermal which relies on heat, and membrane which utilizes semi-permeable membranes to separate salt from seawater and brackish water. According to the report, the cost of desalination is highly influenced by the amount of energy consumed, causing energy efficient membrane technologies, specifically reverse osmosis, to be the most viable option. "The lower operating costs of membrane technologies, which include reverse osmosis, microfiltration, ultrafiltration and nanofiltration, make them a more attractive option," notes Carr. "This segment will grow significantly more than its thermal counterpart." SBI Energy's report, World Desalination Components and Technologies, provides segmented market data for desalination technologies, exhibiting where the growth will occur through 2020. It profiles fifteen major companies, examines major projects and positions of specific countries, and analyzes trends and growth drivers. It is available at: <http://www.sbireports.com/redirect.asp?progid=82216&productid=6281776>.

### Trade Solves

#### Global trade solves water wars; it allows diversification and imports which checks any risk of conflict

Wendy Barnaby 9 is editor of People & Science, the magazine published by the British Science Association "Do nations go to war over water?" Nature 458, 282-283 (19 March 2009) www.nature.com.turing.library.northwestern.edu/nature/journal/v458/n7236/full/458282a.html

Allan's earlier thinking about water wars began to change after meeting the late Gideon Fishelson, an agricultural economist at Tel Aviv University, Israel. Fishelson argued that it is foolish for Israel, a water-short country, to grow and then export products such as oranges and avocados, which require a lot of water to cultivate. Fishelson's work prompted Allan to realize that water 'embedded' in traded products could be important in explaining the **absence of conflict over water** in the region. As a global average, people typically drink one cubic metre of water each per year, and use 100 cubic metres per year for washing and cleaning. Each of us also accounts for 1,000 cubic metres per year to grow the food we eat. In temperate climates, the water needed to produce this food is generally taken for granted. In arid regions, Allan described how people depend on irrigation and imported food to fulfill these needs. Imported food, in particluar, saves on the water required to cultivate crops. The relationship of food trade to water sustainability is often not obvious, and often remains invisible: no political leader will gain any popularity by acknowledging that their country makes up the water budget only by importing food. Allan saw through this to document how the water budgets of the Middle East were **accounted for without conflict**. Allan wrote about embedded water for a few years without it exciting any comment. Then, on a dark Monday afternoon in November 1992, during a routine SOAS seminar, somebody used the term 'virtual' water to describe the same concept. Allan realized this attention-grabbing word, in vogue with the computer-literate younger generation, would catch on better than his own term. And he was right: "From there on it flew," he says. Allan's work explained how, as poor countries diversify their economies, they turn away from agriculture and create wealth from industries that use less water. As a country becomes richer, it may require more water overall to sustain its booming population, but it can afford to import food to make up the shortfall5. **Areas seemingly desperate for water arrive at sustainable solutions thanks to the import of food, reducing the demand for water and giving an invisible boost to domestic supplies**. Political leaders can threaten hostile action if their visible water supplies are threatened (a potentially useful political bluff), **while not needing to wage war** thanks to the benefits of trade.

## Impact D

### \*\*\*Empirics

#### \*\*\*Water wars will never, ever happen

**Null 12**

[Schuyler, researcher at Woodrow Wilson Center’s Environmental Change and Security Program, a nonpartisan research organization, “Move Beyond “Water Wars” to Fulfill Water’s Peacebuilding Potential, Says NCSE Panel,” 1-26-12 http://www.newsecuritybeat.org/2012/01/move-beyond-water-wars-to-fulfill-waters-peacebuilding-potential-says-ncse-panel/]

Carl Bruch, who co-directs international programs at the Environmental Law Institute, started by saying history shows that inter-state “water wars” are “highly unlikely.” He pointed to Aaron Wolf’s and Peter Gleick’s work cataloguing the role of water in conflict throughout human history that shows it is difficult to find even a single conflict that was fought solely over the fundamental resource. For example, climate change may bring changes in rainfall, and some studies have found a correlation between lack of rainfall and conflict, but there is no causation, said Bruch. “It’s a question of governance,” he said. If lack of rainfall caused conflict, there would have been war across the Sahel in 2003; instead, it only happened in Darfur, which lacked a government able to deal with the challenge (similar observations have been made about the relationship between drought and famine in the Horn of Africa).

### Co-op Solves

#### Overwhelming empirics show that water scarcity leads to co-operation, not conflict

**Conca 12**

<Ken Conca 2012, professor at American University's School of International Service, where he directs the Global Environmental Politics Program, "Decoupling Water and Violent Conflict," Fall, Issues in Science & Technology, Vol. 29 Issue 1, Academic Search Premier>

The good news is that although countries may sometimes use bellicose rhetoric when discussing water supplies, there are no significant examples in the historical record of countries going to war over water. The most comprehensive study to date, which looked at water-related events in shared river basins during the second half of the 20th century, found that cooperative events, such as treaties, scientific exchanges, or verbal declarations of cooperation, outnumbered instances of conflict, such as verbal hostility, coercive diplomacy, or troop mobilization, by roughly two to one; and that even the most severe episodes of conflict stopped short of outright warfare. Moreover, when conflict episodes did occur, they were typically not the result of water scarcity. Rather, the key factor was the inability of governments to adapt to rapid changes, such as when part of a country split off to become a new one or when a decision to build a large dam was made without consulting downstream neighbors. The reasons for the lack of violent conflict are not surprising: War between nations is an increasingly rare event in world politics, water relations are embedded in broader relations between countries, and there are far less costly alternatives than war to improve water availability or efficiency of use. Well-designed cooperative agreements can go a long way toward managing shared rivers in a fair and peaceful manner.

### AT: Reilly 2 / InTheseTimes.com

His impact ev is unwarranted and utterly unqualified. It’s an editor at a minor newspaper, who’s hyping her conclusions to generate page-views.

#### His author cites Shiva; she’s a hack

DeGregori 3

DeGregori, professor of economics at the University of Houston, 2003, (Thomas R., “Shiva the Destroyer?,” http://www.butterfliesandwheels.com/articleprint.php?num=17)

**Contradictions and mistakes are all too prevalent in the work of Shiva** and those who revere her. For example, in a public lecture in Toronto, Canada, she claimed both that the price level of food in India was doubling and that it was falling. Arguing that the technologies of the Green Revolution have failed, she has the price of food in India doubling so that consumers can no longer afford it. But when she wishes to criticize the United States for "dumping" food on the Indian market, pushing Indian farmers to commit suicide, she claims that subsidized foreign food is "driving down prices" (O'Hara 2000 and Oakley 2000). The following excerpt from a news item on Shiva's visit to Houston in the October of 2000 is indicative. Shiva appears not to know the difference between a field of rice and one of weeds. Shiva walked across the road and looked out into a shaggy field. "**They look unhappy**," **she said**. "**The rice** plants. Ours at home look very happy." "That," RiceTec reports, "is because **it's not rice**. That's our test field, it was harvested in August. **That's weeds**" (Tyer 2000).

### Prefer Studies

#### Prefer studies over shoddy journalism; my authors would get fired if they published half the nonsense his authors spout

Wendy Barnaby 9 is editor of People & Science, the magazine published by the British Science Association "Do nations go to war over water?" Nature 458, 282-283 (19 March 2009) www.nature.com.turing.library.northwestern.edu/nature/journal/v458/n7236/full/458282a.html

Yet **the myth of water wars persists**. Climate change, we are told, will cause water shortages. The Intergovernmental Panel on Climate Change estimates that up to 2 billion people may be at risk from increasing water stress by the 2050s, and that this number could rise to 3.2 billion by the 2080s7.

Water management will need to adapt. But the mechanisms of **trade**, international agreements and **economic development** that currently ease water shortages will persist. Researchers, such as Aaron Wolf at Oregon State University, Corvallis, and Nils Petter Gleditsch at the International Peace Research Institute in Oslo, point out that **predictions of armed conflict come from the media** and from popular, **non-peer-reviewed work.**

# Sustainability

## UQ – Sustainable

### World Good

#### Uniqueness decisively goes neg – the state of the world has never been better by every measure

**Dean** 10/16/**14**—philosopher and science writer, check out all the people he cites!

(Tim, “Cheer up, it’s not all doom and gloom”, <http://www.abc.net.au/news/2014-10-16/dean-cheer-up-its-not-all-doom-and-gloom/5818302>, dml)

With each year that goes by, the world is becoming a safer, richer and generally better place to live. So instead of looking at the headlines and losing hope, we can look at them as challenges to be solved, writes Tim Dean. Don't let the bleak news headlines fool you. The future is looking bright, and no amount of haemorrhagic fever outbreaks, militant religious fanaticism, crackdowns on pro-democracy protesters or doomsaying about the global economy ought to turn your smile upside down. In fact, now is a great time to be an optimist about the future. With each year that goes by, the world is becoming a safer, richer and generally better place to live. And this is true according to **almost any metric** you choose to look at. Let's start with violence. While it might seem that the world is as dangerous a place as it has ever been, with wars both civil and uncivil abroad, "coward punches" and domestic violence at home, and the spectre of terrorism spreading fear throughout, the fact is there is less violence in the world today than at any other point in history. According to the World Health Organisation, about 1.6 million people lost their lives to violence in the year 2000. That's a gut-wrenching figure. However, it needs to be put in perspective. The global population in 2000 was about 6 billion. That means less than 0.03 per cent of people - or fewer than 27 people per 100,000 - died from violence in that year. That's not so appalling when you consider that somewhere around 15 per cent of people in ancient hunter-gatherer societies died a violent death, and that figure was still about 3 per cent for the first half of the 20th century, including the two major world wars. As Harvard psychologist Steven Pinker argued in his recent book, The Better Angels of Our Nature, even wars today are less deadly than they once were: The number of people killed in battle - calculated per 100,000 population - has dropped by 1000-fold over the centuries as civilizations evolved. Before there were organized countries, battles killed on average more than 500 out of every 100,000 people. In 19th century France, it was 70. In the 20th century with two world wars and a few genocides, it was 60. Now battlefield deaths are down to three-tenths of a person per 100,000. Every violent death is a tragedy, but the very fact that we are so outraged at incidences of violence today shows that most people no longer regard it as a viable solution to our disagreements. That's progress. What about poverty? Here the story is even more rosy. While there can be no doubt that millions of people continue to live in states of abject poverty, their numbers are declining at a **startling rate** in most regions around the world. A recent United Nations report stated, "Extreme poverty rates have fallen in **every developing region**, with one country, China, leading the way ... Poverty remains widespread in sub-Saharan Africa and Southern Asia, although progress in the latter region has been **substantial**." Speaking of Africa, a continent that is often perceived as being doomed to corruption and poverty, there the transformation has been profound. Africa is entering a new era of burgeoning prosperity, much like South-East Asia did in the 1990s. Not only are African economies growing rapidly, but the wealth is actually reaching the poor. In fact, by some accounts, the entire African continent (except for a couple of holdouts) may achieve the Millennium Development Goals to eradicate extreme poverty and hunger this year, which is one year ahead of schedule. In terms of our wealth, well, we really have nothing to complain about. Despite all the whinging about rising cost of living, most of these costs are discretionary (although many people strangely continue to feel that a crippling mortgage is somehow obligatory). The average income in Australia has risen dramatically over the past few decades. In 2000, the average pay was $33,769. In 2013 it was more like $58,000. That's a 19 per cent pay rise, even after adjusting for inflation. Oh, and that recent bout of doom and gloom from the International Monetary Fund amounts to a small reduction in the forecast economic growth that the world ought to enjoy over the next few years. Getting wealthier, albeit slightly more slowly, isn't what a lot of people would consider terrible news. OK, what about the environment? Surely the spectre climate change is of real concern? Well, it is. But even there progress is being made. In terms of carbon emissions, we continue to pump out CO2 at record rates, with most of the growth in emissions coming from China. However, the European Union, United States and other OECD countries have actually **seen emissions decline** over the past several years. China remains somewhat bullish about its right to emit carbon to fuel its return to be an economic power, but it is also acutely aware of the risks from pollution and carbon emissions and is aiming for a lower carbon future. China has already invested billions in low-carbon technologies, from ultra-supercritical coal-fired power stations to thorium nuclear to solar power. If a few more major economies (including Australia) sign up for a carbon price, it seems likely that China will jump on board too. Another positive sign is that world economic growth has recently "**decoupled**" from carbon emissions. This has proven that economies can grow **without needing** to fume **more CO2** into the atmosphere, thus removing another barrier to going renewable. In the long term, we also have the prospect of limitless clean energy thanks to fusion power. It'll likely take decades to come to fruition, but when it arrives, it could **radically transform our energy landscape** and even help **alleviate** some of the effects of **climate change**, such as by using our abundant electrons to power atmospheric carbon scrubbers or to run desalination plants. We just have to make it to 2050 or so without totally wrecking the climate, and we stand a good chance getting through this thing **without** suffering **catastrophic** global **warming**. And I haven't even touched on how our triumph over disease doubled life expectancy from 40 to 80, or how infant mortality rates continue to decline worldwide, or how increased automation and machine intelligence could soon lead to a long weekend every week, or how most of the world is becoming a far more tolerant place. None of the above means the world isn't facing some grave challenges, nor that we ought to become complacent. In fact, "optimism" isn't quite the right word for how we should feel. Optimism can lead to a kind of merry apathy, a blind faith that good will prevail of its own accord. In that way, a fatalistic optimism can be as dangerous as apathetic pessimism. A better term is one that sadly doesn't receive nearly enough use these days: "meliorism." This is the notion that the world is far from perfect, but we can improve it through our own actions. It reminds us that if we let the world unfold without our intervention, things will probably get worse, so we must act to change it for the better. So instead of looking at the headlines and losing hope, we can look at them as challenges to be solved - challenges that can and will eventually be solved. After all, if we have been able to reduce amount of violence in the world, lift so many people out of poverty and do the countless other wondrous things that have made the world as it is today, then history is on our side.

### AT: Djordjevic 98

His sustainability evidence is a joke. Djordjevic is an undergraduate at UC Irvine writing a paper for college. The article is almost 20 years old and cites zero empirical evidence.

## Industrial Ag

### Soil Erosion

#### High yield ag is key to solve soil erosion; the impact is extinction

Avery 95

Dennis Avery, Director of & Senior Fellow at Center for Global Food Issues, former agriculture analyst for the State Department, and former staff member of the President's National Advisory Commission on Food and Fiber, “SAVING THE PLANET WITH NO-TILL, HIGH-YIELD FARMING,” before the Manitoba/North Dakota Zero Tillage Farmer's Association, January 24, 1995. http://www.mandakzerotill.org/books/proceedings/Proceedings%2019 95/highyield.html)

**The true** long-term **threat to human existence is soil erosion.** Doubling the yields on the best and safest farmland cuts soil erosion by more than half. And now herbicides and conservation tillage are letting us cut those low rates of soil erosion by 65 to 98 percent. It should now be possible to build topsoil and soil tilth on much of the world's best farmland -- while carrying on intensive high-yield farming. For 10,000 years, man has accepted soil erosion as the long-term price for having a dependable food supply in the short run. In the U.S. alone, the Conservation 'Technology Information Center reports roughly 100 million acres using conservation tillage systems. The systems are continuing their rapid spread through such widely-differing agricultures as Western Europe, Brazil, Australia and Kenya. We are doing this with chemicals. Herbicides are the first alternative mankind has ever developed to "bare-earth" farming. These herbicide-based farming systems are **the most sustainable farming systems ever devised.** They save more soil, even as they encourage more earthworms, more soil microbes and more soil tilth than plowing. Nor do the herbicides present any significant threat to wildlife or people from runoff or residues. (Atrazine, the most widely-used "suspicious" herbicide in the world has just had its safety rating raised seven-fold by the U.S. Environmental Protection Agency.) In addition, high-yield farmers are in the midst of developing "no-leach" farming. Tractors and applicator trucks for farm chemicals now can be guided by global positioning satellites and radar within inches of their true positions across the field, while microprocessors vary the application rates of chemicals and seed seven times a second based on intensive soil sampling, soil hydrology, slope, plant population and nearness to waterways. It is now practical to manage our farms by the square yard, rather than in chunks of 10 or 100 hectares. High-yield farming must now claim environmental credit for both the acres not plowed. and for the soil erosion not suffered.

### Turns Water Pollution

#### Studies of Clean Water programs show small farms literally cannot afford to protect the environment

Osmond and Gale 95

Deanna L. Osmond and Judith A. Gale (Water Quality Extension Specialists, North Carolina State University Water Quality Group). “Farmer Participation in Solving the Nonpoint Source Pollution Problem: The Rural Clean Water Program Experience.” March 1995. <http://www.water.ncsu.edu/watershedss/info/brochures/eight.html>

The success or failure of any agricultural nonpoint source pollution control project depends on the participation of many landowners or farm operators. These producers must install or utilize land-based treatments, or best management practices (BMPs), that minimize the movement of agricultural pollutants such as sediment, nutrients, and pesticides to water resources. The degree of producer participation necessary to protect or remediate water quality will depend not only on the total number of land users employing BMPs in the watershed, but also on several other factors: the location of the producers' farms in the watershed, the types of BMPs selected, the extent of BMP implementation, and the type and severity of the water quality problem. The first phase in a nonpoint source (NPS) pollution control project is to accurately identify and clearly document the water quality problem, the specific pollutant(s), and the sources of the pollutant(s). Based on the water quality problem assessment, the critical area (land area or areas contributing disproportionately to the water quality problem) should be identified. High-priority project participants are those producers who farm or raise livestock in the critical area of the watershed. A primary goal of any voluntary NPS pollution control project is to engage a sufficient number of potential participants in the project. The Rural Clean Water Program (RCWP), a nationally recognized nonpoint source pollution control program conducted between 1981 and 1995, established a target voluntary producer participation rate of 75%. Many valuable lessons were learned from the RCWP about how to recruit and retain participants in voluntary NPS pollution control projects. The information presented in this fact sheet is based on these lessons learned. Farm Structure and Producer Attitudes and Attributes that Affect Project Outcome An extensive telephone survey of producers farming in the critical areas of the 21 RCWP projects was conducted to evaluate differences between farmers who chose to participate in the RCWP and those who did not (Gale et al., 1993). Farm structure, farm operator characteristics, and water quality awareness and attitudes were assessed. Participation in RCWP projects was highly correlated with strong economic indicators, such as comparatively larger total acreage farmed, higher gross farm sales, and greater property and farm equipment values. Producers who were employed off-farm, or who received only part of their income from agriculture, were less likely to participate in NPS pollution control projects than were farmers who worked solely on the farm and earned most of their income from agriculture. Water quality awareness and attitudes were also important in determining participation rates in the RCWP projects. Producers who were more aware of water pollution (in general, in the specific area, or on individual farms) participated in greater numbers than farmers who were less well informed. Producers who received most of their water quality and conservation information from government agencies and farm magazines were more likely to change agricultural practices that affected water quality than producers who did not receive information from these sources. Many of the results of the farm operator survey were similar to conclusions of previous studies evaluating factors that influence conservation. Farmers who run large-scale operations, are better educated and more willing to take risks, and have access to government information generally participate at a higher rate in conservation programs than producers without these characteristics. Although farm structure and producer characteristics were important factors in determining which farmers chose to participate in the RCWP projects, external incentives also affected participation. Incentives To Producer Participation Economic Factors Financial incentives are extremely important, and may be the most important factor, in obtaining voluntary implementation of BMPs. Financial incentives for voluntary environmental compliance include cost-share funds, tax relief, payment transfers, and government subsidies. The primary financial incentive in the RCWP projects was federal cost-share funding. Each producer could receive up to 75% of the cost of each recommended BMP implemented (up to a maximum per farm of $50,000). The cost-share rate for the Alabama RCWP project was originally set at 60%. Few farmers chose to participate until the cost-share rate was raised to 75%. Participation then increased to 100% of the producers in the critical area. A significant barrier to implementation of BMPs is poor economic status of producers. The farm operator survey (Gale et al., 1993) found a lower rate of participation among farmers who had relatively lower economic indicators. During the early 1980s, many farmers in Oregon were unable to participate in the Tillamook Bay RCWP project because high interest rates limited cash flow, making it difficult for farmers to pay their portion of the cost of installing BMPs. Another hindrance is the high cost of some BMPs, such as animal waste management systems. For many dairy farmers, the maximum cost-share payment of $50,000 was insufficient to make the construction of animal waste storage units economically feasible.

### Alt is Worse

#### Low-yield ag is the single largest threat to global biodiversity.

Avery 7

Dennis T. Avery (Director of the Center for Global Food Issues at the Hudson Institute), “How High-Yield Farming Saves Nature,” Society, (2007) 44:137-143

If the world’s farmers today got the yields they achieved in 1950, the world would need nearly **three times as much cropland** to produce today’s food supply. That would be about 15–16 million additional square miles of crops—**all** the **global forest area available today**. Every biologist who is worried about species extinction is worried **most** about lost wildlife habitat—especially forests and most of all the tropical forests. Without higher yields, we might indeed **lose millions of wild species** over the next 50 years. With continued investments in high-yield farming and forestry research, we might not have to lose any wildlands. But a much bigger commitment to research is required to ensure this result.

## Growth Solves Environment

### Empirics

#### Studies confirm; growth solves the environment

Carillo and Maietta, 2012:

(The Relationship Between Economic Growth And Environmental Quality: The Contributions Of Economic Structure And Agricultural Policies. Felicetta Carillo, National Institute Of Agricultural Economics At The University Of Naples. Ornella Maietta, Department of Economics At The University Of Naples. June 2012.)

The EKC relation shows that different stages of economic development have different impact on environment, indicating that as the per capita income (or per capita wealth) increases, the economy shows first an increase in pressure on the environment (in terms of more pollution and of more intensive use of natural resources), then, after at a certain level of income (called turning point), there is a trend reversal, which results in a virtuous cycle of improvement and of reduction of the economic pressure on the environmental resources. The EKC path has been originally observed for some phenomena of air pollution (particulates, SO2, NOX, CO2) and water (river water) since the ‘90s. Several studies have tested the EKC with a cross-country approach, using data on products from *General Environmental Monitoring System* (GEMS), which contains information on the contamination of air and water from the most common pollutants actually known (Dasgupta *et al*, 2002). Among those who have first estimated the EKC, Grossman and Krueger (1993) explain the relation by the *scale effect* of growth, that is increasing returns, associated to growth, make the technology more efficient and reduce the cost of pollution abatement; at the same time, the substitution effect make it possible to shift to cleaner and non-renewable resource saving techniques; finally, because of the composition effect of output, consumption of polluting products is reduced and the weight of the cleaner tertiary sector is increased. These models seem to suggest a path of laissez-faire (Andreoni e Levinson, 2001), that is the increasing income automatically will ensure the improvement of environmental quality.

### Mindset Shift Turn

#### Studies prove growth solves environment – It’s more likely to create a mindset shift than collapse

**Taylor 3**

Director of Natural Resource Studies 0at Cato Institute, Jerry Taylor, “Happy Earth Day? Thank Capitalism,” New York Sun, April 2 20032, http://www.cato.org/dailys/04-23-03-2.html

Earth Day is traditionally a day for the Left -- a celebration of government's ability to deliver the environmental goods and for threats about the parade of horribles that will descend upon us lest we rededicate ourselves to federal regulators and public land managers. This is unfortunate because it's businessmen -- not bureaucrats or environmental activists -- who deserve most of the credit for the environmental gains over the past century and who represent the best hope for a Greener tomorrow. Indeed, we wouldn't even have environmentalists in our midst were it not for capitalism. Environmental amenities, after all, are luxury goods. America -- like much of the Third World today -- had no environmental movement to speak of until living standards rose sufficiently so that we could turn our attention from simply providing for food, shelter, and a reasonable education to higher "quality of life" issues. The richer you are, the more likely you are to be an environmentalist. And people wouldn't be rich without capitalism. Wealth not only breeds environmentalists, it begets environmental quality. There are dozens of studies showing that, as per capita income initially rises from subsistence levels, air and water pollution increases correspondingly. But once per capita income hits between $3,500 and $15,000 (dependent upon the pollutant), the ambient concentration of pollutants begins to decline just as rapidly as it had previously increased. This relationship is found for virtually every significant pollutant in every single region of the planet. It is an iron law. Given that wealthier societies use more resources than poorer societies, such findings are indeed counterintuitive. But the data don't lie. How do we explain this? The obvious answer -- that wealthier societies are willing to trade-off the economic costs of government regulation for environmental improvements and that poorer societies are not -- is only partially correct. In the [US] United States, pollution declines generally predated the passage of laws mandating pollution controls. In fact, for most pollutants, declines were greater before the federal government passed its panoply of environmental regulations than after the EPA came upon the scene. Much of this had to do with individual demands for environmental quality. People who could afford cleaner-burning furnaces, for instance, bought them. People who wanted recreational services spent their money accordingly, creating profit opportunities for the provision of untrammeled nature. Property values rose in cleaner areas and declined in more polluted areas, shifting capital from Brown to Green investments. Market agents will supply whatever it is that people are willing to spend money on. And when people are willing to spend money on environmental quality, the market will provide it.

## Alt Fails

### Fascism

#### Transition fails and gets co-opted by right-wing takeover of the government which is a fascism DA to the aff

**Lewis 92**

Martin Lewis, prof in the School of the Environment and the Center for International Studies at Duke U, “Green Delusions”, p.170-171, 1992

While an explosive socioeconomic crisis in the near term is hardly likely the possibility certainly cannot be dismissed. Capitalism is an inherently unstable economic system, and periodic crises of some magintude are inevitable. An outbreak of jingoistic economic nationalism throughout the world, moreover, could quickly result in virtual economic collapse. Under such circumstances we could indeed enter an epoch of revolutionary social turmoil. Yet I believe that there are good reasons to believe that the victors in such a struggle would be radicals not of the left but rather of the right. The extreme left, for all its intellectual strength, notably lacks the kind of power necessary to emerge victorious from a real revolution. A few old street radicals may still retain their militant ethos, but today’s college professors and their graduate students, the core marxist contingent, would be ineffective. The radical right, on the other hand, would present a very real threat. Populist right-wing paramilitary groups are well armed and well trained, while establishment-minded fascists probably have links with the American military, wherein lies the greatest concentration of destructive power this planet knows. Should a crisis strike so savagely as to splinter the American center and its political institutions, we could well experience a revolutionary movement similar to that of Germany in the 1930s.

### \*\*\*Collapse Fails

#### \*\*\*Downturn kills the environment

**Biello 08**

David Biello, Editor for the Scientific American. “Is a Global Recession Good for the Environment?” 2008, http://www.scientificamerican.com/podcast/episode.cfm?id=is-a-global-recession-good-for-the-08-11-132

Times are tough when a millionaire oil man can't get a wind farm built. T. Boone Pickens backed off of his much ballyhooed mega-wind project in Texas this week, citing the declining cost of natural gas. Fossil fuel burning power plants are still too good of a deal to bother investing $2 billion into wind turbines. A bear market might seem like a boon for the environment: less overall economic activity, like manufacturing and driving, means less overall pollution. Right? Actually, as the Pickens example proves, global economic downturns take a toll on the environment by restrain[ing] economic activity that could improve the situation. But that's not all. Over-farming and drought led to 400,000 square kilometers of prime top soil blowing away in the wind in the 1930s, exacerbating, and exacerbated by, the Great Depression. And the economic crises that crippled the economies of southeast Asia in the 1990s also set in motion a rapid uptick in environmentally damaging pursuits such as illegal logging and cyanide fishing, according to the World Bank. Even as I speak, economic worries have prompted some European countries to begin backpedaling on their commitments to cut back on global warming pollution. So an economic downturn is no friend of the environment. Brother, can you spare a turbine?

## \*\*\*Veganism DA

### \*\*\*Link

#### \*\*\*Continued tech growth causes a shift to global veganism

Pearce 5

David Pearce (Transhumanist vegan British philosopher; Pearce has spoken at Oxford and Harvard and been published in The Economist and BBC Radio. In 1998, Pearce cofounded Humanity+ with Nick Bostrom.) THE PINPRICK ARGUMENT.” 2005. http://www.utilitarianism.com/pinprick-argument.html

Third, developments in single-celled protein technologies will soon enable us to grow genetically-engineered "vat food" that's at least as tasty as flesh from intact non-human animals. If so, then the process will presumably be scalable without limit. Critically, such vat-food will be cheaper. Given market economics, then on this scenario the factory farming "industry" will undergo world-wide collapse - or at least convert to the more efficient model. In fact there's a fair chance **we'll witness global veganism by the second half of the century.** The moral arguments for a cruelty-free diet will seem more cogent when their acceptance no longer demands renouncing the accustomed taste of some of our favourite foods. Elsewhere, Mother Nature, red-in-tooth-and-claw, won't disappear so swiftly. Yet at current rates of habitat destruction, no large mammals will survive in the wild later this century. Vestiges of old order may remain elsewhere in the living world; but the residual forms of suffering, if any, that will be permitted in our wildlife parks or the deep oceans are far from certain. If we conclude that unpleasant states of consciousness are morally unacceptable, then genetic engineering, quantum computing and nanorobotics can be harnessed to redesign the global ecosystem and rewrite the vertebrate genome. The exponential growth of computing power to run complex simulations may eventually make such ecosystem transformation trivial. A technologically and ethically **advanced civilisation can eradicate suffering in all sentient life.**

### \*\*\*Impact

#### \*\*\*Livestock suffering is on the magnitude of eight human extinction events every year

ADAPTT 11

ADAPTT [Animals Deserve Absolute Protection Today and Tomorrow]. “More Than 150 Billion Animals Slaughtered Each Year.” July 18, 2011. http://www.adaptt.org/killcounter.html

Data for the Kill Counter are based on worldwide animal slaughter statistics culled from the Food and Agriculture Organization of the United Nations for the year 2003. According to these statistics, about **53 billion** land animals are **slaughtered annually** worldwide. (It should be noted that at the time the numbers were compiled, they were the minimum numbers of animals killed each year. The actual numbers may be significantly greater insofar as some countries or territories either did not report, or deliberately excluded, some statistics.) Of the more than 200 countries researched, the top three—the United States, China, and Brazil—consume a staggering 46 percent of these animals as food. The United States alone consumes roughly **20 percent of all animals slaughtered for food** even though it contains less than five percent of the world's population. It's important to note that, since most of the available data are now eight years old as of 2011, these estimates are extremely conservative. It is now quite likely that in many of the categories noted, the current kill rates are as much as 10 percent higher than what is indicated here. As soon as more accurate statistics become available, ADAPTT pledges to update its Kill Counter accordingly.

# War

## General

### Transition Wars – Newest Ev

#### Decline causes lash out and global war; old evidence doesn’t assume new international tension

Harold James 14, Professor of history at Princeton University’s Woodrow Wilson School who specializes in European economic history, 7/2/14, “Debate: Is 2014, like 1914, a prelude to world war?,” <http://www.theglobeandmail.com/globe-debate/read-and-vote-is-2014-like-1914-a-prelude-to-world-war/article19325504/>

As we get closer to the centenary of Gavrilo Princip’s act of terrorism in Sarajevo, there is an ever more vivid fear: it could happen again. The approach of the hundredth anniversary of 1914 has put a spotlight on the fragility of the world’s political and economic security systems. At the beginning of 2013, Luxembourg’s Prime Minister Jean-Claude Juncker was widely ridiculed for evoking the shades of 1913. By now he is looking like a prophet. By 2014, as the security situation in the South China Sea deteriorated, Japanese Prime Minister Shinzo Abe cast China as the equivalent to Kaiser Wilhelm’s Germany; and the fighting in Ukraine and in Iraq is a sharp reminder of the dangers of escalation. Lessons of 1914 are about more than simply the dangers of national and sectarian animosities. The main story of today as then is the precariousness of financial globalization, and the consequences that political leaders draw from it. In the influential view of Norman Angell in his 1910 book The Great Illusion, the interdependency of the increasingly complex global economy made war impossible. But a quite opposite conclusion was possible and equally plausible – and proved to be the case. Given the extent of fragility, a clever twist to the control levers might make war easily winnable by the economic hegemon. In the wake of an epochal financial crisis that almost brought a complete global collapse, in 1907, several countries started to think of finance as primarily an instrument of raw power, one that could and should be turned to national advantage. The 1907 panic emanated from the United States but affected the rest of the world and demonstrated the fragility of the whole international financial order. The aftermath of the 1907 crash drove the then hegemonic power – Great Britain - to reflect on how it could use its financial power. Between 1905 and 1908, the British Admiralty evolved the broad outlines of a plan for financial and economic warfare that would wreck the financial system of its major European rival, Germany, and destroy its fighting capacity. Britain used its extensive networks to gather information about opponents. London banks financed most of the world’s trade. Lloyds provided insurance for the shipping not just of Britain, but of the world. Financial networks provided the information that allowed the British government to find the sensitive strategic vulnerabilities of the opposing alliance. What pre-1914 Britain did anticipated the private-public partnership that today links technology giants such as Google, Apple or Verizon to U.S. intelligence gathering. Since last year, the Edward Snowden leaks about the NSA have shed a light on the way that global networks are used as a source of intelligence and power. For Britain’s rivals, the financial panic of 1907 showed the necessity of mobilizing financial powers themselves. The United States realized that it needed a central bank analogous to the Bank of England. American financiers thought that New York needed to develop its own commercial trading system that could handle bills of exchange in the same way as the London market. Some of the dynamics of the pre-1914 financial world are now re-emerging. Then an economically declining power, Britain, wanted to use finance as a weapon against its larger and faster growing competitors, Germany and the United States. Now America is in turn obsessed by being overtaken by China – according to some calculations, set to become the world’s largest economy in 2014. In the aftermath of the 2008 financial crisis, financial institutions appear both as dangerous weapons of mass destruction, but also as potential instruments for the application of national power. In managing the 2008 crisis, the dependence of foreign banks on U.S. dollar funding constituted a major weakness, and required the provision of large swap lines by the Federal Reserve. The United States provided that support to some countries, but not others, on the basis of an explicitly political logic, as Eswar Prasad demonstrates in his new book on the “Dollar Trap.” Geo-politics is intruding into banking practice elsewhere. Before the Ukraine crisis, Russian banks were trying to acquire assets in Central and Eastern Europe. European and U.S. banks are playing a much reduced role in Asian trade finance. Chinese banks are being pushed to expand their role in global commerce. After the financial crisis, China started to build up the renminbi as a major international currency. Russia and China have just proposed to create a new credit rating agency to avoid what they regard as the political bias of the existing (American-based) agencies. The next stage in this logic is to think about how financial power can be directed to national advantage in the case of a diplomatic tussle. Sanctions are a routine (and not terribly successful) part of the pressure applied to rogue states such as Iran and North Korea. But financial pressure can be much more powerfully applied to countries that are deeply embedded in the world economy. The test is in the Western imposition of sanctions after the Russian annexation of Crimea. President Vladimir Putin’s calculation in response is that the European Union and the United States cannot possibly be serious about the financial war. It would turn into a boomerang: Russia would be less affected than the more developed and complex financial markets of Europe and America. The threat of systemic disruption generates a new sort of uncertainty, one that mirrors the decisive feature of the crisis of the summer of 1914. At that time, no one could really know whether clashes would escalate or not. That feature contrasts remarkably with almost the entirety of the Cold War, especially since the 1960s, when the strategic doctrine of Mutually Assured Destruction left no doubt that any superpower conflict would inevitably escalate. The idea of network disruption relies on the ability to achieve advantage by surprise, and to win at no or low cost. But it is inevitably a gamble, and raises prospect that others might, but also might not be able to, mount the same sort of operation. Just as in 1914, there is an enhanced temptation to roll the dice, even though the game may be fatal.

### AT: K-Waves

#### His evidence relies on K-wave theory; that’s junk science

North 9 (Gary, Economic Analyst – Austrian School, PhD in History, “The Myth of the Kondratieff Wave,” 6-27, <http://www.lewrockwell.com/north/north725.html>)

Pugsley = American conservative libertarian political and economics commentator, lecturer, and New York Times bestselling author

Kondratieff had at most two and a half cycles in his two papers. That number was available for only four data series. Of the 36 data series, he could find evidence of cycles in only 11 of them. The monetary series and the real series correlated in only 11 of 21 series, all short. Pugsley then cited extensively from an article by C. Van Ewijk of the University of Amsterdam (The Economist, Nov. 3, 1981). Van Ewijk noted that Kondratieff followed no consistent methodology in choosing the types of trend curves that he selected for different data sources. Kondratieff used various statistical techniques to smooth the curves to make them appear as long waves. "In case after case, no wave could be identified." He used price data, but these did not correlate with the actual economic output of the four economies that he studied. Then the waves that he presented were further "idealized" by whoever created the chart that has circulated ever since. Pugsley noted: "The upward movement of prices from 1933 to the present has already spanned fifty years, which is supposed to be the average length of a complete cycle." So far, price inflation has extended for about 75 years. Yet the deflationists are still predicting long-term, severe price deflation, and some of them invoke the Kondratieff wave to prove their assertion. Pugsley concluded: In **not one case** does the evidence corroborate the existence of the wave. Prices and output are not directly related – if anything they are inversely related. The forty-five to sixty-year period of the wave is only partially evident in the nineteenth century, and then only in the price series. Price moves in the twentieth century do not correspond to this periodicity, as claimed by long-wave proponents. There is absolutely **no statistical correlation** between series of real variables such as production and consumption, and monetary series such as prices and interest rates. Production and prices of the four countries studied do not statistically correlate; thus there is no wave operating coincidentally in the industrialized countries. In other words, Kondratieff's hypothesis is simply not supported by any evidence. The long wave exists only in the minds of a few misguided analysts, but not in the real world. It is pure hokum.

### Markets Solve War

**Markets solve war**

**Bandow 5**

<Doug Bandow, a senior fellow at the Cato Institute, REASON ONLINE, “A Capitalist Peace?”, October 26, 2005 (http://www.reason.com/news/show/32985.html accessed: June 26, 2009)>

There are a number of reasons why economics appears to trump politics. The shift from statist mercantilism to high-tech capitalism has transformed the economics behind war. Markets generate economic opportunities that make war less desirable. Territorial aggrandizement no longer provides the best path to riches. Free-flowing capital markets and other aspects of globalization simultaneously draw nations together and raise the economic price of military conflict, because the political destabilization resulting from war deters profitable investment and trade. Moreover, sanctions, which interfere with economic prosperity, provides a coercive step short of war to achieve foreign policy ends.

### \*\*\*AT: Historical Examples, etc.

#### \*\*\*Domestic and international unrest are converging for the first time in 300 years, which means downturn is uniquely likely to cause war now, and past empirics don’t apply

Martin Armstrong 14, the former chairman of Princeton Economics International Ltd, Cited by Greg Hunter, “Violent War Cycles-Global Economic Decline-Martin Armstrong,” 9-14-14, <http://usawatchdog.com/violent-war-cycles-global-economic-decline-martin-armstrong-4/>, DOA:11-11-14, y2k

Global economic expert Martin Armstrong says **two** big **violent cycles** are happening for the **first time in 300 years**. Domestic and international unrest is **consuming** **the world**. Armstrong contends, “Both of these cycles are converging at the same time, and **this hasn’t happened since the 1700’s.** That was the American Revolution, the French Revolution and etcetera. That was the revolution against monarchies, so to speak. This is not just Ukraine, Russia and the U.S. You have the Middle East going crazy. Gaza is starting up again with Israel. You go over to Asia and you have civil unrest in Thailand, and the overwhelming part of the population in China wants to go to war with Japan as payback.” **Why all the violence around the world?** Armstrong contends, “When everyone is fat and happy, nobody cares. Everybody lives together peacefully. **When you turn the economy down**, that’s when **people** start getting mad. They lost something, and they want to **blame somebody else** for whatever injury they suffered. We look at the entire world . . . what you are looking at on a global scale is the emerging markets: China, Russia, South America, Brazil, South East Asia, their stock markets peaked in 2007. They have been in a declining economic trend . . . so you have the economic pressure building. This is what’s going on in Russia as well. We are making a serious mistake by thinking that Russia can’t fight. My sources say that they anticipated the sanctions on Putin would make the oligarchs turn against him and force him to back out. That’s not going to happen. We are going into a period of economic decline, and whenever that happens, **government needs an external enemy**.” So, when markets crashed in 2007, what did Congress do? They did investigations and went after Wall Street. They never admit it has anything to do with them. . . . If Putin were to back off, they would eat him for lunch. He would be overthrown within Russia.” On the subject of new sanctions from the U.S. and EU, Armstrong says, “Europe is already in an economic decline, and it is a very, very serious one. Even the IMF has come out and said there are major problems with deflation, which is what you get from a Great Depression, and that is really what the EU is going through. I don’t see any hope of the EU bottoming out before 2020. It’s going to get worse.” So, is this going to lead to war between NATO and Russia? Armstrong says, “That seems to be what’s happening.” On the Middle East, Armstrong charges, “The United States has made a complete mess of the Middle East. The real truth behind the Benghazi affair, that ambassador that was killed . . . he was effectively an arms dealer. They were providing all the arms in Libya to overthrow Gadhafi. When that was done, those same arms were sent to this group called ISIS who was against Syria. You have to realize that Saudi Arabia was really the one behind the funding of all of this. Why? They wanted a pipeline through Syria. The problem now is that everyone was trying to fund somebody else to do their dirty work, and now you have an Islamic State that is rising and it is taking territory from both sides.” On the direction of the price of gold, Armstrong predicts, “I personally think you are going to see gold emerge as a currency of the underground economy. It’s not a hedge against inflation, and we have done every study imaginable. So, why are countries like China buying all this gold? Armstrong says, “People are buying gold, not because they think it will be going up, but simply as a hedge against government.” On the recent strength of the U.S. dollar, Armstrong says, “The central banks only have the dollar, that’s it. It is the reserve currency. We had a former Obama economist who just came out a few days ago and said the risk to the United States is a strong dollar, and we should give up the reserve currency position. Why? Because they realize there is no other choice. What are you going to do, put your retirement money in rubles? How about Yuan? There is no place you can go. It’s only dollars.” So, is the dollar is not going to fall out of bed anytime soon? Armstrong says, “Not yet. You have to take the dollar up, and that will bring gold down short term. Also, as war begins to happen, you have to realize that capital flees from wherever conflict is. The more conflict you have in the Middle East and Europe, the more money is going to come this way (to the U.S.)” In closing, Armstrong gave an ominous prediction and said, “**The next decline** we will see **is going to be far worse than the last one**. Each one is building in intensity.”

# \*\*\*Greenhill NCAA AC\*\*\*

# 1NC NCAA

## Off Case

### T--Wage

A. A “wage” is given to an employee

**Ohio Code 7** writes[[15]](#footnote-15)

4111.01 Minimum fair wage standards definitions. As used in this chapter: (A) **"Wage" means compensation due to an employee by reason of employment**, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to the deductions, charges, or allowances permitted by rules of the director of commerce under section 4111.05 of the Revised Code. "Wage" includes an employee's commissions of which the employee's employer keeps a record, but does not include gratuities, except as provided by rules issued under section 4111.05 of the Revised Code.

B.Student athletes don’t receive a wage, so they aren’t employees

**Litchfield 13** writes[[16]](#footnote-16)

Classifying student athletes as employees will significantly expand tort liability for universities Currently, universities have escaped liability for many of their student athletes’ missteps. Because **student athletes are not employees of the university**, the universities are not liable under the theory of respondeat superior. Kavanagh v. Trustees of Boston University, 795 N.E.2d 1170 (Mass.2003) supports this proposition. A Boston University player punched Kavanagh, an opposing basketball player, in the face and broke his nose during a game. Kavanagh sued on the theory that the Boston student athlete, a senior on scholarship, was an agent of the university. The Supreme Judicial Court of Massachusetts firmly rejected Kavanagh’s logic. **The student is a buyer of education** rather than an agent.... [A] student retains the benefit of that education for himself rather than for the university.” Hanson v. Kynast, 24 Ohio St.3d 171, 174, 494 N.E.2d 1091 (1986) (member of university lacrosse team not “agent” of university). **While schools may benefit** in various ways **from the presence of a particular student**, or may benefit in the future from a former student's later success, **the student does not attend school to do the school's bidding**. Kavanagh has cited no authority for the proposition that the relationship between school and student is that of principal and agent, master and servant, or employer and employee.81 The court stated that scholarships do not change the situation; **while a scholarship is a** form of **payment, it is not a wage**. 82 The court cites numerous cases across many jurisdictions that support the conclusion that the relationship between universities and students is primarily academic, and not economic, in nature. Up to this point, universities have been immune from judgments that other employers would typically have to pay. *Kavanagh* and *Rensing* are both premised on the fact that **NCAA student athletes do not receive wages and therefore are not employees**. For this reason only, workers compensation and tort claims have not held up in court. Should the schools begin to pay their student athletes, however, this relationship will change; the universities’ primary defense to these claims will disappear. This change will bring catastrophic results to universities which will result in significantly higher litigation and settlement expenses and possibly the elimination of collegiate athletics altogether. Cases with factual scenarios similar to Kavanagh, Rensing, and Waldrep will be re-litigated and possibly decided differently. Future workers compensation and tort cases will weigh in favor of the students and against the university. What was once a frivolous lawsuit because students were not employees will become a valid cause of action. Universities can no longer file a motion to dismiss the case early on based on Kavanagh. This will significantly increase the legal costs of universities in addition to increasing their liability exposure. Universities could be liable for any athletic related injury. Universities will be forced to pay for the ongoing medical expenses from any injury, possibly even something as extreme as Kent Waldrep’s ongoing medical expenses. Most athletic departments already operate at a deficit. These additional expenses might force schools to reduce their liability by discontinuing their dangerous sports, or possibly even all athletics. What started as a crusade for ensuring fairness for student athletes would result in the cancelling of their only route into a four year university.

C. Standards

1. Ground. 2 internal links.

(a) I lose the libertarianism NC because freedom of contract arguments don’t apply to student-athletes who don’t have a contract of hire. Libertarianism is the only good NC on this topic.

(b) None of the standard empirics about minimum wage apply because those studies analyzed people who already receive wages. Empirics are core neg ground because they’re the majority of the lit; this topic is hotly debated by economists.

2. Predictable limits. The logic of their aff justify a ton of affs about any college extracurricular

**Pocono Record 14** writes[[17]](#footnote-17)

Paying student athletes has to be about the worst idea since McLobster or Heinz Mystery Color ketchup. And it will create more adverse ripples than a first round upset in an NCAA March Madness tournament bracket. The National Labor Relations Board recently ruled Illinois' Northwestern University football players were employees, entitled to join a union. That can lead to student-athlete compensation. After all, these universities are raking in the dough on the backs and hard work of student athletes. Why shouldn't the players get a piece of the pie? Oh, where to start. Some students are awarded scholarships to attend and play. That can amount, in some cases, to $50,000 in tax-free compensation in the form of education. Not bad for a kid out of high school. Now the not-so-obvious. **If college football players are considered employees, then so would track and field competitors, volleyball players and** members of **the swim team.** There goes the budget for competitive college sports programs. Will the "employees" ruling affect **other competitors, like** the **chess or debate teams**? They **work hard and sacrifice, too. Shouldn't they be paid?** It's a slippery slope. I call it a road to de-education. More ripples: Professors use graduate students to help conduct research. Are the students entitled to a cut in the patents many of these studies create? Even worse, pay-for-play may transform college athletics from an educational opportunity into a job market.

Predictable limits are key to fairness and education because I can’t engage the specifics of their aff if I have to prep 100 case negs.

Only limited topics protect participants from research overload which materially affects our lives outside of round.

**Harris 13** writes[[18]](#footnote-18)

I understand that there has been some criticism of Northwestern’s strategy in this debate round. This criticism is premised on the idea that they ran framework instead of engaging Emporia’s argument about home and the Wiz. I think this criticism is unfair. Northwestern’s framework argument did engage Emporia’s argument. Emporia said that you should vote for the team that performatively and methodologically made debate a home. Northwestern’s argument directly clashed with that contention. My problem in this debate was with aspects of the execution of the argument rather than with the strategy itself. It has always made me angry in debates when people have treated topicality as if it were a less important argument than other arguments in debate. Topicality is a real argument. It is a researched strategy. It is an argument that challenges many affirmatives. The fact that other arguments could be run in a debate or are run in a debate does not make topicality somehow a less important argument. In reality, for many of you that go on to law school you will spend much of your life running topicality arguments because you will find that words in the law matter. The rest of us will experience the ways that word choices matter in contracts, in leases, in writing laws and in many aspects of our lives. Kansas ran an affirmative a few years ago about how the location of a comma in a law led a couple of districts to misinterpret the law into allowing individuals to be incarcerated in jail for two days without having any formal charges filed against them. For those individuals the location of the comma in the law had major consequences. Debates about words are not insignificant. Debates about what kinds of arguments we should or should not be making in debates are not insignificant either. **The limits debate** is an argument that **has real** pragmatic **consequences.** I found myself earlier this year judging Harvard’s eco-pedagogy aff and thought to myself—I could stay up tonight and put a strategy together on eco-pedagogy, but then I thought to myself—why should I have to? Yes, **I could put together a strategy against any random argument** somebody makes employing an energy metaphor **but** the reality is **there are only so many nights to stay up all night researching. I would like to** actually spend time **play**ing **catch** with my children occasionally or maybe even **read a book or go to a movie** or spend some time with my wife. **A world where there are** an **infinite** number of **affirmatives** is a world where the demand to have a specific strategy and not run framework is a world that **says this community doesn’t care whether** its **participants have a life** or **do well in school or spend time with their families.** I know there is a new call abounding for interpreting this NDT as a mandate for broader more diverse topics. The reality is that will create more work to prepare for the teams that choose to debate the topic but will have little to no effect on the teams that refuse to debate the topic. Broader topics that do not require positive government action or are bidirectional will not make teams that won’t debate the topic choose to debate the topic. I think that is a con job. I am not opposed to broader topics necessarily. I tend to like the way high school topics are written more than the way college topics are written. I just think people who take the meaning of the outcome of this NDT as proof that we need to make it so people get **to talk about anything** they want to talk about **without having to debate** against **Topicality or framework** arguments are interested in constructing a world that **might make debate an unending nightmare** and not a very good home in which to live. **Limits**, to me, **are a real impact because I feel their impact** in my **everyday** existence.

Research shows that research overload leads to superficial education, meaning we won’t learn about the aff or anything else.

**Chokshi 10** writes[[19]](#footnote-19)

When it comes to focus, turning on the spotlight may not matter as much as our ability to dim the ambient light. Nicholas Carr argued on Saturday in The Wall Street Journal that the Internet is making us dumber and on Monday The New York Times had a front-page feature on the mental price we pay for our multi-tasked lifestyles. If we are indeed losing our ability to think deeply, the key to fighting back may lie in a subtlety: focus may be more about our ability to filter out distractions than our ability to home in on the issue at hand. Carr posed his idea that technology is making us stupid in a 2008 Atlantic cover story and his forthcoming book "The Shallows" is a longer rumination on the theory. **According to professors and research cited in The Times piece "the idea that information overload causes distraction was supported by more and more research." And those distractions**, according to research Carr cites**, are forcing us to change the way we think. Deep thought is losing ground to superficiality.** So, if our multitasking lifestyle causes distraction, and distraction leads to superficial thinking, how do we fight back? Carr offers some advice:

3. Legal precision

(a) Court precedent and Congressional intent agree that student-athletes aren’t employees

**ACE 14** writes[[20]](#footnote-20)

Students who participate in intercollegiate athletics (“student-athletes”) and receive athletic scholarships are not employees and therefore not subject to the National Labor Relations Act (“NLRA”). Athletics is part of the educational experience; it enriches learning and imparts lessons for life. Students pursue intensively a range of extra-curricular and co-curricular activities, among them athletics, as part of the overall education college affords. The institutions’ mission is education, and virtually no institutions earn a surplus from the athletics program. Student-athletes participate for their own benefit; they do not render services for compensation. Athletic scholarships, which are calibrated to the cost of attendance, not services rendered, and are similar to other forms of conditional financial aid, do not change this equation. **Neither the Board’s precedents nor Congressional intent support the Regional Director’s opposite view**. Declaring students to be employees would be contrary to the policy of the NLRA. And **under Brown University, NLRB** 483 (20**04**)**,** intercollegiate **student-athletes** are not subject to the NLRA because they **are “primarily students”**. 2 **Congress, courts, and executive agencies have consistently recognized that college athletics is part of the educational program, not employment. Thus Congress** twice **enacted Title IX protections for intercollegiate athletics instead of relying on Title VII employment discrimination protections**, and for that same reason student-athletes are treated as students, not employees, in a multitude of other legal contexts.

(b) Common law agrees that student-athletes aren’t employees

**ACE 14** writes[[21]](#footnote-21)

The receipt of a scholarship does not alter the basic relationship between student and institution, turning student-athlete into employee. **Under the common law definition, an employee** is one who **performs services** “for another” or **“in the service of another” under a contract of hire, subject to the other’s right of control and in return for payment**. Boston Med. Ctr. Corp., 330 NLRB 152, 160 (1999). **Student-athletes** fail this test because they **do not perform services for educational institutions, and** accordingly **athletic scholarships are not compensation for services rendered**. Nothing about the receipt of a scholarship transforms the student into an employee.

Common law’s emphasis on precedent teaches us analogical reasoning which is a portable skill and is key to moral progress

**Sunstein 93** writes[[22]](#footnote-22)

If the argument I have made is plausible, there may be much more to be said in favor of **the common law method** than is now popular. That method **will have within it** resources unlikely to be available to anyone laying down rules in advance. It follows that a large task for a legal system based on a general enthusiasm for rules is to introduce **the virtues of analogical reasoning**. Debates in contemporary administrative law are often about precisely this point.162 Many people have tried to obtain, in a rule-pervaded, statutory era, some of the advantages of analogical thinking and of particular examination of particular contexts. 163 IV. CONCLUSION **Analogical reasoning** is the conventional method of the lawyer; it **plays a large role in everyday thinking** as well. **Its distinctive properties are** a requirement of **principled consistency, a focus on concrete particulars**, incompletely theorized judgments, and the creation and testing of principles having a low or intermediate level of generality. Because of its comparative lack of ambition, this form of reasoning has some important disadvantages. Compared with the search for reflective equilibrium, it is insufficiently theoretical; it does not account for its own low-level principles in sufficient depth or detail. Compared with economics and empirical social science, it is at best primitive on the important issue of likely social consequences. Law should be more attuned to facts, and on this score analogical thinking may be an obstacle to progress. But **in a world with limited time and capacities, and** with **sharp disagreements on first principles, analogical reasoning has** some **beneficial features** as well. Most important, **this form of reasoning** does not require people to develop full theories to account for their convictions; it **promotes moral evolution over time;** it **fits uniquely well with** a system based on principles of **stare decisis**; and it allows people who diverge on abstract principles to converge on particular outcomes. In any case **it is unsurprising that analogical reasoning continues to have enormous importance in legal and political discussion**. A notable aspect of analogical thinking is that people engaged in this type of reasoning are peculiarly alert to the inconsistent or abhorrent result, and they take strong convictions about particular cases to provide reasons for reevaluating their views about other cases or even about apparently guiding general principles. 164 The emphasis on particular cases and particular convictions need not be regarded as an embarrassment, or as a violation of the lawyer's commitment to prin- ~ip1e.l~~ On the contrary, it should be seen as a central part of the exercise of practical reason in law (and elsewhere). In this light, it seems most unfortunate that analogical reasoning has fallen into ill repute. To abandon this method of reasoning may be to give up, far too quickly, on some of the most useful methods we have for evaluating our practices, and for deciding whether to change them through law.

D. Fairness is a voter since it’s a gateway issue to deciding the better debater. Education is a voter since it’s the end-goal of debate. Substance doesn’t matter unless there’s an educational benefit to discussing it.

Drop the debater—

1. The NC was skewed. I can’t redo it after the 1AR shifts.

2. Key to deterrence. Drop the arg means aff will run abusive cases for the time skew.

3. Jurisdiction. Can’t vote for a nontopical plan.

4. Depth. Reject-the-arg theory forces us to cover theory and substance which leads to shallow theory debates that set worse norms for the activity.

Aff only gets RVIs if they concede the violation, the voter, and that theory is evaluated through competing interps. 4 reasons.

1. It’s key to reciprocity because I meets, reject the arg, and reasonability make RVIs a nib for the aff which gives the aff a 4 to 1 advantage on theory.

2. Only offense to a counter-interp can trigger an RVI. If the aff doesn’t win that my interp is worse for debate, then it makes no sense to vote aff to deter it.

3. If the aff is going all in on theory with an RVI, they already have a reciprocal source of offense, so I meets and reasonability aren’t key.

4. Double-bind. If the I meet or reject the arg is false, the aff doesn’t need them. If the I meet or reject the arg is true, aff doesn’t need the RVI.

Prefer competing interpretations because reasonability is arbitrary and invites judge intervention.

### Tort Liability DA

Courts let universities escape tort liability for student athletes now. Paying student athletes changes this, risking the collapse of college athletics

**Litchfield 13** writes[[23]](#footnote-23)

Classifying student athletes as employees will significantly expand tort liability for universities **Currently, universities** have **escape**d **liability for many** of their student **athletes’ missteps**. Because student athletes are not employees of the university, the universities are not liable under the theory of respondeat superior. Kavanagh v. Trustees of Boston University, 795 N.E.2d 1170 (Mass.2003) supports this proposition. A Boston University player punched Kavanagh, an opposing basketball player, in the face and broke his nose during a game. Kavanagh sued on the theory that the Boston student athlete, a senior on scholarship, was an agent of the university. The Supreme Judicial Court of Massachusetts firmly rejected Kavanagh’s logic. The student is a buyer of education rather than an agent.... [A] student retains the benefit of that education for himself rather than for the university.” Hanson v. Kynast, 24 Ohio St.3d 171, 174, 494 N.E.2d 1091 (1986) (member of university lacrosse team not “agent” of university). While schools may benefit in various ways from the presence of a particular student, or may benefit in the future from a former student's later success, the student does not attend school to do the school's bidding. Kavanagh has cited no authority for the proposition that the relationship between school and student is that of principal and agent, master and servant, or employer and employee.81 The court stated that scholarships do not change the situation; while a scholarship is a form of payment, it is not a wage. 82 The court cites numerous cases across many jurisdictions that support the conclusion that the relationship between universities and students is primarily academic, and not economic, in nature. Up to this point, **universities have been immune from judgments that other employers** would **typically** have to **pay**. ***Kavanagh* and *Rensing* are** both **premised on the fact that NCAA** student **athletes do not receive wages** and therefore are not employees. For this reason only, workers compensation and tort claims have not held up in court. **Should** the **schools** begin to **pay** their **student athletes,** however, **this** relationship will change; the universities’ primary defense to these claims will disappear. This change **will bring** catastrophic results to universities which will result in significantly **higher litigation and settlement expenses and possibly** the **elimination of collegiate athletics altogether**. Cases with factual scenarios similar to Kavanagh, Rensing, and Waldrep will be re-litigated and possibly decided differently. Future workers compensation and tort cases will weigh in favor of the students and against the university. What was once a frivolous lawsuit because students were not employees will become a valid cause of action. Universities can no longer file a motion to dismiss the case early on based on Kavanagh. This will significantly increase the legal costs of universities in addition to increasing their liability exposure. **Universities could be liable for any athletic** related **injury. Universities will be forced to pay** for the **ongoing medical expenses** from any injury, possibly even something as extreme as Kent Waldrep’s ongoing medical expenses. **Most athletic departments already operate at a deficit**. These **additional expenses might force schools to reduce** their **liability by discontinuing** their dangerous sports, or **possibly** even **all athletics**. What started as a crusade for ensuring fairness for student athletes would result in the cancelling of their only route into a four year university.

Collapse of college sports hurts minority students and spills over to kill general academic funding from private donors

**Adler 14** writes[[24]](#footnote-24)

The tragedy would be that literally **thousands of athletes** could or **would no longer have the opportunity to be**come **student-athletes if collegiate sports collapsed**. Many of these kids would never see the inside of a major university. Many of these athletes are great students and statistics show they graduate at about the same rate as other college entrants. Of course, **many** of these **student athletes** that both enter and graduate from universities across the country **are minority students. Would they gain admission and be able to pay for their education without** college **sports scholarships?** I think **no**t. **And** lest we forget **the general public** who attend, watch and **support both** college **athletics as well as** college **academics. Virtually every study shows that a successful athletic program has a very positive impact on general academic giving**. Further, **sports** are often the glue that **often hold**s **town and gown together**.

Private donations are key to research funding at universities

**Odisho 13** writes[[25]](#footnote-25)

**With federal funding** in the state of Illinois **decreasing**, the University has seen an increase in **private donations** in recent years, which **help**s to **fund expenses**. Some of these expenses include student recruitment and retention, said Marlah McDuffie, associate dean for advancement in the College of Media. “We are increasingly relying on private funding to handle very basic needs from scholarships, internships and faculty support,” McDuffie said. **Cuts from the federal budget may cause long-term harm to research, and universities must think** creatively **about how they will fill** those **gaps in the budget**, said Melissa Edwards, director of research communications in the Office of the Vice Chancellor for Research. “The problems facing society aren’t going away, and as a land grant, research intensive university, we have an obligation to create knowledge for a diverse and complex world,” Edwards said. **Private donations**, which come from individuals and corporations, **provide funding to find answers to issues in society**. This **private funding is critical to higher education, especially** in **public education, which tends to rely on federal funding**. Most of these private donations come from University alumni and private donors. These donations have helped the University set records in regards to how much has been raised. “We also established a new record raising, in what we call new business, $434.9 million,” said Don Kojich, vice president for marketing and communications at the University of Illinois Foundation. New business includes new gifts, grants, pledges and deferred commitments, which come from a donor’s last will and testament, but does not necessarily include donors who haven’t previously donated.

University research is key to US tech and science leadership

**Economist 10** writes[[26]](#footnote-26)

WHAT do the following have in common: the bar code, congestion charging, the cervical Pap smear and the internet? All emerged from work done at **America's pre-eminent research universities**. The central contention of Jonathan Cole's book is that these mighty institutions are “creative machines unlike any other that we have known in our history”. They **stand at the centre of America's** intellectual and **technological global leadership**, but are now under threat as never before. Professor **Cole** has worked all his life at one of these institutions, Columbia, where he was provost for 14 years from 1989 until 2003. His book is really three, each a magisterial work. First, he **sets out a**n admirably **comprehensive history of** how **America's great universities** came into being. Then, he trawls for examples of the enriching inventiveness of these institutions, **listing the extraordinary** range of **innovations in tech**nology **and** in **thinking that** have **sprung from their research**. Finally, he outlines the forces that threaten America's research universities. The author describes how these institutions built upon Germany's model of the 19th century, with its combination of research and teaching; how they benefited from America's early enthusiasm for mass education as a route to social mobility; and how they hit the jackpot in the 1930s, when many brilliant academics in Germany and Austria fled to American universities (some of which had recently been purging Jews from their own academic bodies). In the post-war era, the research universities—he reckons about 260 institutions might now claim the name, of which maybe 100 are key—became far larger and more complex. Many turned into “full service” universities, with a clutch of professional schools teaching business, medicine, law and engineering. A flood of federal and foundation funding increased the size of individual departments, bringing benefits of scale. Success bred success. **In** 20**01, America produced a third of the world's science and engineering articles in refereed journals, and in** three of the **past** four **years its academics received two-thirds of** the **Nobel prizes for science and economics.** No wonder **America's great universities lure the world's cleverest students and** the **finest academics**, many of whom stay to enrich their new country.

US science and tech leadership is key to science diplomacy which solves every existential risk. **Fedoroff 8** writes[[27]](#footnote-27)

Chairman Baird, Ranking Member Ehlers, and distinguished members of the Subcommittee, thank you for this opportunity to discuss science diplomacy at the U.S. Department of State. The U.S. is recognized globally for its leadership in science and technology. Our scientific strength is both a tool of “soft power” – part of our strategic diplomatic arsenal – and a basis for creating partnerships with countries as they move beyond basic economic and social development. Science diplomacy is a central element of the Secretary’s transformational diplomacy initiative, because science and technology are essential to achieving stability and strengthening failed and fragile states. S&T advances have immediate and enormous influence on national and global economies, and thus on the international relations between societies. Nation states, nongovernmental organizations, and multinational corporations are largely shaped by their expertise in and access to intellectual and physical capital in science, technology, and engineering. Even as S&T advances of our modern era provide opportunities for economic prosperity, some also challenge the relative position of countries in the world order, and influence our social institutions and principles. **America must remain at the forefront** of this new world **by maintaining its tech**nological **edge**, and leading the way internationally through science diplomacy and engagement. The Public Diplomacy Role of Science Science by its nature facilitates diplomacy because it strengthens political relationships, embodies powerful ideals, and creates opportunities for all. **The global scientific community embraces** principles Americans cherish: **transparency,** meritocracy, accountability, the **objective** evaluation of **evidence, and** broad and frequently **democratic participation.** Science is inherently democratic, respecting evidence and truth above all. **Science is** also **a common global language, able to bridge** deep **political and religious divides**. Scientists share a common language. Scientific interactions serve to keep open lines of communication and cultural understanding. As scientists everywhere have a common evidentiary external reference system, members of ideologically divergent societies can use the common language of science to cooperatively address both domestic and the increasingly trans-national and global problems confronting humanity in the 21st century. There is a growing recognition that science and technology will increasingly drive the successful economies of the 21st century. Science and technology provide an immeasurable benefit to the U.S. by bringing scientists and students here, especially from developing countries, where they see democracy in action, make friends in the international scientific community, become familiar with American technology, and contribute to the U.S. and global economy. For example, in 2005, over 50% of physical science and engineering graduate students and postdoctoral researchers trained in the U.S. have been foreign nationals. Moreover, many foreign-born scientists who were educated and have worked in the U.S. eventually progress in their careers to hold influential positions in ministries and institutions both in this country and in their home countries. They also contribute to U.S. scientific and technologic development: According to the National Science Board’s 2008 Science and Engineering Indicators, 47% of full-time doctoral science and engineering faculty in U.S. research institutions were foreign-born. Finally, some **types of science** – particularly those **that address** the **grand challenges** in science and technology – **are inherently** international in scope and **collaborative** by necessity. The ITER Project, an international fusion research and development collaboration, is a product of the thaw in superpower relations between Soviet President Mikhail Gorbachev and U.S. President Ronald Reagan. This reactor will harness the power of nuclear fusion as a possible new and viable energy source by bringing a star to earth. ITER serves as a symbol of international scientific cooperation among key scientific leaders in the developed and developing world – Japan, Korea, China, E.U., India, Russia, and United States – representing 70% of the world’s current population. The recent elimination of funding for FY08 U.S. contributions to the ITER project comes at an inopportune time as the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project had entered into force only on October 2007. The **elimination of** the promised **U.S. contribution drew** our **allies to question our** commitment and **credibility** in international cooperative ventures. More problematically, **it jeopardizes** a platform for reaffirming U.S. **relations with key states**. It should be noted that even at the height of the cold war, the United States used science diplomacy as a means to maintain communications and avoid misunderstanding between the world’s two nuclear powers – the Soviet Union and the United States. In a complex multi-polar world, relations are more challenging, the threats perhaps greater, and the need for engagement more paramount. Using Science Diplomacy to Achieve National Security Objectives The welfare and stability of countries and regions in many parts of the globe require a concerted effort by the developed world to address the causal factors that render countries fragile and cause states to fail. Countries that are unable to defend their people against starvation, or fail to provide economic opportunity, are susceptible to extremist ideologies, autocratic rule, and abuses of human rights. As well, **the world faces** common threats, among them climate change, **energy and water shortage**s, public **health emergencies, environmental degradation,** poverty, **food insecurity, and** religious **extremism**. These threats can undermine the national security of the United States, both directly and indirectly. Many are blind to political boundaries, becoming regional or global threats. The United States has no monopoly on knowledge in a globalizing world and the **scientific challenges facing humankind are enormous**. Addressing these common challenges demands common solutions and necessitates scientific cooperation, common standards, and common goals. We must increasingly harness the power of American ingenuity in science and technology through strong partnerships with the science community in both academia and the private sector, in the U.S. and abroad among our allies, to advance U.S. interests in foreign policy. There are also important challenges to the ability of states to supply their populations with sufficient food. The still-growing human population, rising affluence in emerging economies, and other factors have combined to create unprecedented pressures on global prices of staples such as edible oils and grains. Encouraging and promoting the use of contemporary molecular techniques in crop improvement is an essential goal for US **science diplomacy**. An essential part of the war on terrorism is a war of ideas. The creation of economic opportunity **can** do much more to **combat** the rise of **fanaticism** than can any weapon. The war of ideas is a war about rationalism as opposed to irrationalism. Science and technology put us firmly on the side of rationalism by providing ideas and opportunities that improve people’s lives. We may use the recognition and the goodwill that science still generates for the United States to achieve our diplomatic and developmental goals. Additionally, the Department continues to use science as a means to reduce the proliferation of the weapons’ of mass destruction and prevent what has been dubbed ‘brain drain’. Through cooperative threat reduction activities, former weapons scientists redirect their skills to participate in peaceful, collaborative international research in a large variety of scientific fields. In addition, **new global efforts focus on** improving **biological, chemical, and nuclear security** by promoting and implementing best scientific practices as a means to enhance security, increase global partnerships, and create sustainability.

Adopt a parliamentary model to account for moral uncertainty. This entails minimizing existential risks. **Bostrom 9** writes[[28]](#footnote-28)

It seems people are overconfident about their moral beliefs.  But **how should one** reason and **act if one** acknowledges that one **is uncertain about morality** – not just applied ethics but fundamental moral issues? if you don't know which moral theory is correct?

It doesn't seem **you can[’t] simply plug your uncertainty into expected utility** decision theory and crank the wheel; **because many** moral **theories** state that you **should not** always **maximize** expected **utility.**

Even if we limit consideration to consequentialist theories, it still is hard to see how to combine them in the standard decision theoretic framework.  For example, suppose you give X% probability to total utilitarianism and (100-X)% to average utilitarianism.  Now an action might add 5 utils to total happiness and decrease average happiness by 2 utils.  (This could happen, e.g. if you create a new happy person that is less happy than the people who already existed.)  Now what do you do, for different values of X?

The problem gets even more complicated if we consider not only consequentialist theories but also deontological theories, contractarian theories, virtue ethics, etc.  We might even throw various meta-ethical theories into the stew: error theory, relativism, etc.

I'm working on a paper on this together with my colleague Toby Ord.  We have some arguments against a few possible "solutions" that we think don't work.  On the positive side we have some tricks that work for a few special cases.  But beyond that, the best **we have managed** so far is **a** kind of **metaphor, which** we don't think is literally and exactly correct, and it is a bit under-determined, but it **seems to get things roughly right** and it might point in the right direction:**The Parliamentary Model.**  Suppose that you have a set of mutually exclusive moral theories, and that you assign each of these some probability.  Now imagine that **each** of these **theorie**s **gets to send** some number of **delegates to The Parliament**.  The number of delegates each theory gets to send is **proportional to the probability of the theory.**  Then the delegates bargain with one another for support on various issues; and the Parliament reaches a decision by the delegates voting.  What you should do is act according to the decisions of this imaginary Parliament.  (Actually, we use an extra trick here: we imagine that the delegates act as if the Parliament's decision were a stochastic variable such that the probability of the Parliament taking action A is proportional to the fraction of votes for A.  This has the effect of eliminating the artificial 50% threshold that otherwise gives a majority bloc absolute power.  Yet – unbeknownst to the delegates – the Parliament always takes whatever action got the most votes: this way we avoid paying the cost of the randomization!)

The idea here is that moral theories get more influence the more probable they are; yet **even a** relatively **weak theory can still get its way on some issues** that the theory think are extremely important **by sacrificing** its influence **on other** i**s**sues that other theories deem more important.  For example, **suppose you assign 10% probability to** total **util**itarianism and 90% to moral egoism (just to illustrate the principle).  Then **the Parliament** would mostly take actions that maximize egoistic satisfaction; however it **would make some concessions to util**itarianism **on** issues that utilitarianism thinks is especially important.  In this example, the person might donate some portion of their income to **existential risks** research and otherwise live completely selfishly.

I think there might be wisdom in **this model**.  It **avoids the** dangerous and **unstable extremism** that would result **from letting one’s current favorite moral theory completely dictate action**, while still allowing the aggressive pursuit of some non-commonsensical high-leverage strategies so long as they don’t infringe too much on what other major moral theories deem centrally important.

### Feminism K

The aff’s acceptance of “pay-for-play” as the solution to racism in college sports strengthens patriarchy. It also contributes to racism which turns the case

**Buzuvis 14** writes[[29]](#footnote-29)

As a third method of doing social justice feminism, Kalsem and Williams suggest that feminist solutions be informed by interlocking oppressions, which “keeps the focus on bottom-up strategies in fashioning remedies.”42 Title IX advocates are understandably concerned about actual and hypothetical efforts to expand the commercialization of college athletics by deregulating and letting the market take over—efforts poised not only to detract even more from the resources available to women’s sports, but to further encode their inferior status.43 The **patriarchy uses sport as a tool to maintain male dominance by using it to ascribe to male participants** the **power and social status associated with athletic participation and success**—such as strength and physical competence, social status and leadership ability, and character attributes such as diligence and cooperation.44 As such, stakeholders in the patriarchy are motivated to exclude women from sport. Where that is not possible due to the intervention of law, stakeholders seek to deter women’s participation, minimize the importance of their opportunities, and to culturally define women’s sports as a different and lesser version than the male original.45 While college athletics is still teeming with examples of athletics as a source of male privilege, Title IX has at least helped women begin to chip away at the cultural tendency to define athlete as a male default. In this spirit, **Title IX advocates would be rightfully concerned about efforts to pay student athletes**, even—though uncomfortably—**when** those proposals are **framed as redress for** the **racial exploitation** inherent in a system of college sport that is staunchly amateur to the detriment of athletes and unabashedly commercial to the benefit of the institution.46 **Imagine a world where colleges are allowed to pay** their **athletes. In this** hypothetical **world are male and female athletes drawing equal pay for equal work?** Regardless of how we might prefer to interpret Title IX on this issue, **the fact that female athletes receive fewer scholarship dollars**47 **and female athletic department employees lower salaries** than their male counterparts48 **suggests that pay-for-play will be disparate as well**. This will occur either in blatant disregard of law, as so many Title IX violations do, or under the blanket of a perceived justification in the “market forces” that cause some men’s sport to be more revenue-producing than women’s sports. The result will be a privileged “professional” status bestowed on some athletes, but which only men are eligible to attain, reinforcing male dominance in sport in the service of the patriarchy. For its part, the NCAA staunchly opposes such reform as undermining of its amateurism values, but that hasn’t stopped it from toying with plans to pay athletes under a label other than “salary.” 49 For a brief window in 2011, the NCAA allowed Division I universities to provide an additional $2000 cost-ofliving “stipend” to those with full athletic scholarships, as a way to offset the personal deficit many athletes face by virtue of their participation in college athletics.50 This proposal served to justify gender-equity concerns about the related, larger issue of pay-forplay. By linking the stipend to full-scholarship sports, the NCAA assured its disproportionate benefit to male college athletes. Even the NCAA recognized that this plan would have a gendered effect when it started a conversation with the Department of Education about possibly “exempting” these stipends from having to comply with Title IX. While the NCAA eventually shelved this particular stipend proposal, it is certainly not done addressing the issue of athlete compensation. It is inevitable that **“solving” the athlete exploitation problem by paying them** (with stipends, salaries, or otherwise) is a solution that **would disadvantage female athletes. To accept it as an appropriate solution** to the problem of athlete exploitation not only undermines the educational purpose of athletics, it **betrays** the principal of **gender equity**, a betrayal that can easily lead to other, similar exceptions that gut the meaning of equality. Consider in this regard an NCAA push for a Title IX exemption so that institutions can pay male athletes, for example. including college athletics, operates a tool of White society to maintain racial supremacy. Sport promotes a handful of highly visible, well-paid professional athletes—or potentially college athletes, in a world of pay-for-play—to serve as decoys to distract hundreds of boys into pursuing the same “hoop dreams.”57 Statistically, however, most will not make it. Instead, they will have forgone opportunity to pursue other careers—careers with the potential to provide personal fulfillment but also to destabilize the White hegemony in such fields as law, medicine, politics, education and other fields with high social capital. **If sport contributes to** society’s **racial inequality** now**, pay-for-play exacerbates this problem by** creating stronger incentives to lure hopefuls into college athletics, while **providing universities an excuse not to care about** the **moral** (and public image) **implications of failing to provide student athletes with a meaningful education**. Those who fail to turn officially “pro” after college may at least have four years of salary to cushion the blow,58 but are even less likely to have education to fall back on. In its current form, **big-time college sport contributes to racial inequality by providing a narrow range of role models that sell false hope in the myth of salvation through athletics**. As further commercializing college athletics promotes the patriarchy, it also promotes black oppression as well.

The alternative is to reject compensation for players and endorse a paradigm shift in favor of downsizing college sports—unlike the aff, this addresses the root cause of exploitation of student-athletes

**Buzuvis 14** writes[[30]](#footnote-30)

So **how** then, **should advocates for social justice seek to reform college athletics?** In addition to finding race and gender-conscious ways to talk about pay-for-play, we also need to find race- and gender-conscious ways to end the problem of exploitation in its current form. In other words, **we must change the system, not** to **compensate for exploitation, but to eliminate it at its very source**. Primarily, **what this means is** advocating for **a paradigm shift to align college athletic departments with educational values reflected in their mission statements** and their tax status. Athletic programs must be scaled back to a size and scope that would be sustainable and appropriate even in the absence of substantial revenue. **This would require** the most **expensive athletic programs** in the NCAA’s Division I **to downsize** (or “right-size”) their administration and coaching ranks, athletic department salaries, facilities, competitions, and travel. **Reducing the cost of athletics would eliminate** the **pressure on universities to pursue revenue, and in so doing, to exploit the labor of** their **student-athletes**. It allows them to have a normal college life and a meaningful education.

The kritik’s method of social justice feminism is key to challenging white patriarchy and puts Occupy-style pressure on the system

**Buzuvis 14** writes[[31]](#footnote-31)

**Social justice feminism provides a lens through which to imagine Title IX advocates’ response to** ever-**commercializing college athletics** that goes beyond the “bean-counting” aimed at ensuring equitable number of opportunities and resources for female athletes. **Social justice feminism** demands a broader focus on reform that **tackles the system giving rise to** the **inequality, and** to do so in a manner that **takes into account race-based and other forms of subordination** created by that system as well. Borrowing from the three methodological tools suggested by Professors Kalsem and Williams,10 this article will first explore the history of athletics (and in particular, **college athletics**) to describe how it **has historically functioned as a tool of White patriarchy**. Second, this article will examine “the inter-relationships between interlocking oppressions” inherent in the commercialized model of college athletics, which alienates and marginalizes athletes in a manner disproportionate to race and gender privilege. Finally, this article will make the case for college athletics reform as a social justice issue, not just a Title IX issue. **Efforts to** deregulate college athletics and **pay athletes** like employees **are movin**g college athletics **in the exact wrong direction** where both gender and racial equality is concerned. While we must, as social justice feminists, resist these efforts, we cannot in good conscience be satisfied with that. We must also push for **a paradigmatic shift** in college athletics, one that requires a redistribution of athletic department opportunities and resources to allow for broader and more egalitarian access to education by students of all genders, races, and means. To that end, we **must capitalize** the **collective power of concerned faculty and students to put Occupy-style pressure** on paralyzed presidents and unwilling athletic directors **to take drastic and meaningful steps toward reform**. I. LOST HISTORY OF RACE AND SEX DISCRIMINATION IN COLLEGE ATHLETICS Kalsem and Williams suggest that **one method of social justice feminism involves “looking to history to understand subordinating structures**, seeks to acquire more knowledge with which to understand and then dismantle the bases of societal institutions that perpetuate hierarchies and inequities.”11 By examining what they call “lost” history of race and gender discrimination in athletics, we can contextualize the present controversy about commercialization in ways that help resist framing proposed solutions as pitting gender against race.

## Case

### No Exploitation

Student-athletes aren’t indentured servants. This aff is ridiculous.

**Daugherty 12** writes[[32]](#footnote-32)

These were not people who asked to be paid to attend college. These were folks who paid for the privilege. And let's be clear: **College is a privilege. It is earned, not bestowed**. Some, in fact, are still paying. It's one thing to go to school for free and to leave free of debt. It's quite another to work your way through and depart with a five-figure yoke around your neck. Should college athletes be paid? Why? At the highest levels, here is what they endure. **Here's some of the hardship involved if you are an athlete, attending** a university **for free: A four-year audition for prospective employers**. Or three years, or two. Or basically, whenever you and your pro league of choice agree you've passed the audition. I don't know about you, but when I was a college junior, schlepping to town council meetings on Tuesday nights for my Journalism 301 class, no newspaper editor was there to praise my fascinating reporting on zoning changes in a residential subdivision. When you agree to a full, free ride at a university and you are a football or basketball player, you do so knowing that if you're good enough at what you do, you will get noticed. It's not as if you'll need to spend any time assembling a resume. Your game is your resume. **You will burnish your resume while flying to away games, often in chartered jets, and** staying in **first-class hotels**. If you play basketball, it's likely you will visit a tropical island at least once in your four, free years. If you play football, you could spend a week at a bowl site, where you will get nice gifts from the game's sponsors. Meantime, if scholarship is among your goals, there will be no shortage of attendants at your beck and call. **You will have tutors and study tables**. You will have coaches who assign managers to act as human alarm clocks, in the off chance you accidentally sleep late. In some places, you will be enrolled in classes designed to keep you eligible. **You will have compliant and complicit professors**, interested in the same thing. I was not a college athlete. I did not have tutors or study tables or anyone to make sure I went to class. If I earned an F, I got one. Scholarship was expected. It was, after all, what I was there for. **Did I mention costs?** It costs $57,180 to go to Duke. It's $31,946 to attend Butler. The University of Cincinnati, a public, urban place with lots of commuters, costs $24,942 if you're from out of state, which describes the bulk of football and basketball players. If you want to go to the University of Texas, and you're not a Texan, it's $35,776 a year. Many people who work full-time jobs don't make $35,776 a year. Some even have college degrees. This is a lot of money. **It's the sort of outlay that keeps parents awake** at 3 a.m. **Unless**, of course, **you're the parent of an athlete on full scholarship**, in which case you want to know why he or she isn't getting paid. So many advantages. If you are, say, a member of the men's basketball team at the University of Kentucky, you will have a job waiting for you after you graduate, assuming you do, even if you never get off of John Calipari's bench. **Athletes have built-in connections non-athletes can only dream of. Athletes are not starving their way through** four years of **indentured servitude**. They are not, god help us, "slaves.'' **On most campuses, they're among the privileged classes.**

College athletics isn’t slave labor for student-athletes on scholarships

**Ryder 11** writes[[33]](#footnote-33)

College athletes will never be paid a salary to play for their school. There are far too many logistical, economic and legal hurdles that would have to disappear before paying students could even become a reality. The numbers from ESPN can be deceiving. It's true that big time sports like football and basketball can rake in millions of dollars in revenue, but for most universities that money still isn't enough to cover department costs. **An overwhelming majority of NCAA** student **athletes will make their living doing something else. Those awarded a**n athletic **scholarship get** an opportunity **to play their favorite sport** in state-of-the-art facilities in front of thousands of screaming fans **while getting** a **free education,** free **meals, and** free **housing**. **Depending on the school, a full scholarship can be worth** upwards of **$200,000. A free degree** (especially from a prestigious university) in this economic climate **is a godsend. It's hardly slave labor.**

Scholarships are sufficient to cover everything a student athlete needs to survive at a college

**Dirlam 13** writes[[34]](#footnote-34)

**Athletic scholarships cover just about everything a student-athlete needs to survive for four years** at a major university**. Campus housing,** daily **medical care and free meals via training table are** all **included. Tuition and books are covered** as well. **None of those** things **are chea**p. It costs $57,180 to attend Duke University. The University of Texas charges $35,776 for out-of-state enrollees. Even Butler University charges $31,496 per year. This means many college athletes are being reimbursed with nearly as much money as the average American makes per year. **Leaving a four-year college with a degree will help former players earn more money than those who only have a high school diploma, regardless of whether or not they move on to** a **pro**fessional **sports** career. Students who attain a Bachelor's degree will make $1.1 million more in their lifetimes than non-graduates.

### No Profits

College sports aren’t a revenue machine

**Mendelson 14** writes[[35]](#footnote-35)

**Despite enormous revenues via football and men’s basketball** for the NCAA and a select group of universities — including UF — **most college sports are not** particularly **profitable, and** in fact, **many operate at a loss**. According to a recent study, **just 22 schools profited from football during the** 20**09-**20**10 academic year. College football is hardly the cash cow that some believe the sport to be**. The general consensus seems to be that football players generate enormous revenues, but in the end, it’s only a few select schools that benefit. Many schools spend an upward of $90,000 a year on some athletes.

This means schools can’t afford to pay student-athletes

**Murphy 14** writes[[36]](#footnote-36)

Money allocation **Most colleges** and universities **don’t make** any **money off of athletics**, Elon included. According to a 2013 USA TODAY Sports analysis only 23 of 228 athletics departments at NCAA Division I public schools generated enough money on their own to cover their expenses in 2012. Although athletics is an essential part of the culture and attraction to a university, the revenue it brings in usually doesn’t outweigh the costs of running the programs. Parts of that cost are the salaries of people on the athletic staff, who are already severely underpaid. According to the bureau of labor statistics, the average annual wage of an athletic trainer is $44,720, which is less than the cost of tuition for one student at Elon University. **The athletic staff**, who make it all possible, **is the machine that keeps the programs running** and the organization afloat, **and** is who **needs to get the money first. If they can’t be paid at a reasonable salary,** then **where is this money going to come from for the athletes? Most schools** simply **can’t afford it.**

### HBCUs Turn

Athletic programs at HBCUs are improving now despite past financial issues

**SL 3-30** writes[[37]](#footnote-37)

The **HBCU landscape is in an interesting position. After** a period of **financial insecurity and athletic inequality** which **plagued many schools, the climate appears** to be **less cloudy due to recent events and a strong alumni base** that refuses to let their school and alma mater continue to suffer. **With** the **recent success of Hampton University men's basketball, Langston** University **women's basketball and** the announcement of **the Celebration Bowl**, the **sports programs have used** their on the **court**/field **success to contribute to** the **development and growth of these universities**. The Home Depot has recognized this and has brought back their successful "Retool Your School" program to help in the continued improvement efforts on these campuses. Over the past five years, The Home Depot has awarded approximately $1 million in grant money to HBCUs, and now friends, family, alumni and students can participate in this program to help their school win a share of the $255,000 in grants being awarded this year. Three schools will be awarded $50,000 each, three will be awarded 25,000 each and three will be awarded $10,000 each.

Requiring HBCUs to pay student-athletes destroys their athletic programs and marginalizes the Black community

**Hollingsworth 3-18** writes[[38]](#footnote-38)

For the sake of argument, let us entertain the thought of **paying student-athletes**. While this might help a school with a large fanbase like Ohio State or Alabama, which has successful and affluent alumni, this **would damage smaller schools**. According to a 2007 article by the Wall Street Journal, Ohio State amassed the biggest athletic budget in collegiate sports. However, “The football and men's basketball programs at OSU are the only sports there that turn a profit -- and their revenues support teams other universities have eliminated for lack of funding.” What about schools that don’t have that type of budget, what about the **smaller schools**, the Cinderella’s **in the NCAA** Men’s Basketball Tournament, that **struggle to turn a profit** by entering the tournament? It’s prevalent that **Oliver brought up** the “social, political, and cultural complexities inherent to **the Black American experience,” yet does not account for schools that facilitate** the **learning of the Black community. If** the NCAA and **Universities begin to pay players,** this disparity will not only exist within athletic departments but widen it in social groups as well. Historically Black Colleges and Universities (**HBCUs**) such as Savannah State, **who operate at less than half the budget for** these **larger schools** like UNC, **will have athletic departments that cease to exist**. That is because **HBCUs have** now **taken a hit from bigger** athletic **departments which choose not to schedule their** football **teams** - where these smaller school gain their money - due to strength of scheduling and the new College Football Playoff system. Image a world without Walter Payton or Donald Drive, both of whom came from HBCUs, those programs that they emerged from would eventually disappear completely due to lack of funds. **That leaves multiple student-athletes without** the **means to afford an education and** without **the possibility of advancing their athletic careers.**

### The Onion

There are so many cons!

**Onion 15** writes[[39]](#footnote-39)

As college athletic programs continue to generate millions of dollars in revenue for their schools, advocates for student-athletes have begun pushing for schools to pay their players, while opponents say that compensating athletes has the potential to ruin college sports. **Here are some** pros and **cons of paying student-athletes**: PROS $2,000 per semester could deter students from going pro for millions of dollars Treating college players like pros would encourage them to follow the same high standard of moral conduct as professional athletes Money could help out family members who can’t wait two years to begin leeching off of athlete Kahlil Felder is absolutely dominating in the paint Would give college athletes the capital they need to start chain of fitness centers after graduating Balancing opportunity to make money against risk of debilitating injury better prepares college athletes for professional sports Gainesville, FL not the cheapest town to live in Falls in line with long tradition of paying people for the work they do

CONS

**Could detract from purity of multi-billion-dollar collegiate athletics industry**

**Lax prosecution of criminal charges** against student-athletes **already payment enough**

**May, perhaps, cause student-athletes to focus more on sports than** on **classes**

**Universities should treat athletes with the same indifference as any other** college **student with crushing loan obligations**

**$6 billion pie only so big**

**Players already get free cortisone shots, ice baths, CT scans**

**Some players suck**

**Can’t put a price on the privilege to call yourself a Nittany Lion**

**Costs schools more than doing nothing**

# 2NR T

## General

### Note

[Note: All of the “they’re students first” cards are in the context of ACE’s claim that “even if the common law definition is met, they’re students before employees”; that’s why I added in the “Northwestern ruling definition negates” card so if GHill refers to it and claims they meet common law they violate their CI]

### AT Northwestern Ruling

All of the ACE 14 cards are from an amicus brief criticizing this ruling, so mere reference to the ruling is insufficient to win an I meet.

They have a single ruling, but consistent court precedent goes neg

**ACE 14** writes[[40]](#footnote-40)

**Courts**, too, “in various contexts,” including public immunity and vicarious liability, **have consistently** “**rejected the theory that scholarship athletes are ‘employees’** of their schools.” Kavanagh v. Trs. of Boston Univ., 795 N.E.2d 1170, 1175 (Mass. 2003) (collecting cases). For example, **state workers’ compensation cases hold that scholarship student-athletes are not employees**. See Rensing v. Ind. State Univ. Bd. of Trs., 444 N.E.2d 1170, 1174 (Ind. 1983) (collecting cases).11 **At least one court construing “employee” under the Fair Labor Standards Act**, which is even broader than the NLRA,12 has **reached the same conclusion**. Marshall v. Regis Educ. Corp., 666 F.2d 1324, 1328 (10th Cir. 1981).

Even if they meet the common law definition, they violate the NLRA definition that was used to justify the Northwestern ruling

**ACE 14** writes[[41]](#footnote-41)

Because scholarship student-athletes are not common law employees, the Board need not revisit Brown University, 342 NLRB 483 (2004). But **even if they were common law employees, they would not be employees for purposes of the NLRA because they are “primarily students”** 16 under Brown. A contrary conclusion would conflict with Congressional intent and settled understandings. **The NLRA defines “‘employee’” to “include any employee . . . .”** 29 U.S.C. § 152. **Confronted with a tautology, the Board looks first to** the **common law**. See Brown, 342 NLRB at 495; NLRB v. Town & Country Elec., 516 U.S. 85, 93–95 (1995). **However, Congressional intent controls**. See NLRB v. Bell Aerospace Co., 416 U.S. 267, 275 (1974) (holding that Congress intended to exclude “managerial employees”); Brown, 432 NLRB at 488 (“We look to the underlying fundamental premise of the Act, viz. the Act is designed to cover economic relationships.”); cf. NLRB v. Catholic Bishop, 440 U.S. 490, 507 (1979) (“Accordingly, in the absence of a clear expression of Congress’ intent to bring teachers in church-operated schools within the jurisdiction of the Board, we decline to construe the Act in a manner that could in turn call upon the Court to resolve difficult and sensitive questions arising out of the guarantees of the First Amendment Religion Clauses.”).6 **Congress has never** provided or **intended that scholarship student-athletes qualify as university employees under the NLRA**. In fact, when Congress passed the NLRA it “was thought that congressional power did not extend to” nonprofit colleges and universities. Yeshiva Univ., 444 U.S. at 679.

### Congress Extension

Student athletes are covered by Title IX, not Title VII. That’s Congress implying that Greenhill lost a T debate.

**ACE 14** writes[[42]](#footnote-42)

For example, **Title IX** of the Education Amendments of 1972 **prohibits discrimination on the basis of sex in “any education program** or activity **receiving Federal financial assistance.”** 20 U.S.C. § 1681. **When Congress enacted Title IX** in 1972, **Title VII** of the Civil Rights Act of 1964 **already prohibited sex discrimination in employment, echoing the NLRA’s definition of “employee”** as “an individual employed by an employer.” 42 U.S.C. § 2000e. Still, Congress found it necessary in Title IX to prohibit sex discrimination in education programs or activities. Two years later, in 1974, **Congress amended Title IX to specify that it applied to intercollegiate athletics** and directed the U.S. Department of Health, Education and Welfare to publish implementing regulations. See Pub. L. No. 93-380, 88 Stat. 612 (1974).9 Carrying out this mandate, not only did **the** U.S. **D**epartment **o**f **E**ducation’s predecessor agree that Title IX applied to intercollegiate athletics, but the agency **specifically construed the statute to cover revenue-producing** intercollegiate **sports**. “‘[R]evenue producing intercollegiate athletics are so [i]ntegral to the general undergraduate education program of an institution of higher education that sex discrimination in the administration of a revenue producing athletic activity would necessarily infect the general undergraduate education program of the institution.’” 43 Fed. Reg. 58,070, 58,076 (Dec. 11, 1978) (NPRM). **That** interpretation **would have been superfluous if** the **student-athletes in revenue sports were employees covered by Title VII.**

### AT Revenue=Employees

College athletics barely makes money. It’s not a business; it’s for education.

**ACE 14** writes[[43]](#footnote-43)

Contrary to a popular canard, **for nearly all colleges and universities** the **athletics** program **does not generate net income**. The notion that colleges and universities offer athletic opportunities to generate revenue is demonstrably false. E.g., David Welch Suggs, Jr., Ph.D., Myth: College Sports Are a Cash Cow, The Presidency (Spring 2012), available at http://www.acenet.edu/the-presidency/Pages/Spring-2012.aspx. Northwestern’s 19 sports teams, for example, in aggregate do not generate net revenue. To the contrary, **despite net revenues** from its football program, **Northwestern annually subsidizes its sports programs** with approximately $12.7 million in general revenue. Only a tiny fraction of athletics programs at a tiny fraction of colleges and universities generate net revenue. See id. “[M]ost institutions require institutional funding to balance their athletics operating budget.” Knight Commission, Restoring the Balance at 6. And this economic reality is likely to remain the case into the future. Indeed, “athletics subsidies will continue to grow, both in real terms and as a percentage of institutional budgets.” Suggs, Jr., supra. **Given that athletics programs** as a whole **do not generate revenue, what motivates institutions to offer them? The answer is straightforward**: like many other campus activities, intercollegiate athletics is an integral part of the educational experience. **The institutions are not in the sports business**; rather, **“the ‘business’ of a university is education** . . . .” NLRB v. Yeshiva Univ., 444 U.S. 672, 688 (1980).

### AT Time Commitment=Employees

[Note: The Regional Director of the NLRB who ruled in favor of the Northwestern players took into consideration how much time they spend on football.]

Time commitment is irrelevant; they’re still students

**ACE 14** writes[[44]](#footnote-44)

The Regional Director appeared to place weight on the finding that during the fall semester Northwestern football team members spent 40–50 hours per week on football. Reg’l Dir., Decision and Direction of Election, 6 (Mar. 26, 2014). Yet **the fact that student-athletes spend substantial time** on athletics is not surprising and **does not diminish their status as students**. As a threshold matter, NCAA rules permit only 20 hours of mandatory athletic activity during the week, meaning more than half of the 40 to 50 hours was voluntary. But even a 40-to-50 hour-per-week schedule would not signify that a student-athlete is other than a student. **Even a student who chooses to devote more than 20 hours per week to football would be able to complete a full-time course load as defined by the** U.S. **D**epartment **o**f **E**ducation. See 34 C.F.R. §§ 600.2, 668.8 (defining a full-time academic load for federal student financial aid purposes as a minimum of 12 semester hours per semester, which translates to 36 hours’ total academic work 9 per week). **Students have time both to meet academic standards and** to **give intensive effort to extracurricular activities.**

Student-athletes’ time commitment isn’t for a future professional purpose

**ACE 14** writes[[45]](#footnote-45)

**Student-athlete goals and graduation rates demonstrate** the primacy of **their role as students. Only three percent** of student-athletes **ever turn professional, and only twelve percent** even **want to** do so. A. Grasgreen, “For athletes, a different kind of helicopter parent,” Inside Higher Ed. (Apr. 15, 2014) (citing study presented at annual conference of American College Personnel Association). **About 65% of D**ivision **I student-athletes earn** their **degrees within six years**—a rate comparable to or better than that of the overall group of students entering college.3 Among Bowl-bound Division I college football teams, the overall graduation rate was 72% after adjusting for transfers.4 NCAA rules in effect in 2014–15 bar from post-season play teams from institutions that fail to attain mandated graduation rates. Reform Efforts, http://www.ncaa.org/governance/reform-efforts#awg (last visited June 30, 2014).

## AT Scholarships=Employees

### Common Law Extension

This aff violates the common law definition of employee which has two conditions—the employee renders services and is compensated.

A. Student-athletes don’t render services. This is true even if they generate revenue for the school

**ACE 14** writes[[46]](#footnote-46)

The Restatement Second of Agency § 220 defines a “servant” as a person “employed to perform services in the affairs of another.” (Emphasis added). Nothing could be farther from the reality of student participation in collegiate athletics. The “**students** of a school . . . **are not employees, but consumers of** its product, **education**.” Land v. Workers’ Comp. Appeals Bd., 102 Cal. App. 4th 491, 496 (Cal Ct. App. 2002). Colleges and universities do at times employ students to perform services on their behalf, of course—in dining halls, as office assistants, and in a variety of traditional jobs—but these roles are readily distinguished from that of a student who participates in an educational opportunity. Hanson v. Kynast, 494 N.E.2d 1091, 1095 (Oh. 1986) (student-athlete was “not performing in the course of the principal’s business, i.e., he was not educating students . . . . On the contrary, he was participating in one of the educationally related opportunities offered by the university”); Wall v. Gill, 225 S.W.2d 670, 672 (Ky. 1949). **The distinction between employment and participation in a college**’s **education**al offerings **cannot be ignored** and replaced **by asking**, as the Regional Director did, **whether the activity generates revenue** or benefits the institution. See, e.g., Hanson, 494 N.E.2d at 1095; cf. Todd Sch. for Boys v. Indus. Comm’n, 107 N.E.2d 745, 747 (Ill. 1952) (“[T]hat the work of the students was directed by faculty members and resulted in benefits to the school does not in itself create a relation of employer and employee.”). **Such a broad standard would sweep in a wide range of** campus **organizations** and activities **that indisputably do not involve employment, such as every a cappella singing group that performs a scholarship benefit concert** and every extracurricular activity that generates modest revenue to offset cost. It conflates student participation in activities that enhance education, with work for which an institution would otherwise have to employ non-students—work unconnected to the education students receive. Compare Land, 102 Cal. App. 4th at 496 (recognizing that a student can be a school employee “when a student works in the school’s cafeteria or library for wages in addition to attending classes”), with id. (although entitled to a portion of the net revenue on sale of animals, student injured in animal husbandry class did not qualify as an employee for purposes of worker’s compensation law; the university was “‘rendering service’ to the student by providing its full panoply of educational resources for the student’s use”); cf. Todd Sch., 107 N.E.2d at 747. As explained above, supra I.A, intercollegiate athletics is one of many educational opportunities colleges and universities provide to students. As the California court of appeals explained when it rejected vicarious liability of a university for conduct of a student-athlete: [O]f all of the various sports programs, at least in California, **only** two, i.e., **basketball and football**, **generate significant revenue. These revenues** in turn **support** the other **nonrevenue producing programs. Thus**, conceptually, the **colleges and universities maintaining these athletic programs are not in the “business” of playing football or basketball** any more than they are in the “business” of golf, tennis or swimming. **Football and basketball are simply part of an integrated multisport program** which is part of the education process. Whether on scholarship or not, the athlete is not “hired” by the school to participate in interscholastic competition. Townsend v. State, 191 Cal. App. 3d 1530, 1536 (Cal. Ct. App. 1987); cf. Rensing v. Ind. State Univ. Bd. of Trs., 444 N.E.2d 1170, 1174 (Ind. 1983) (holding scholarship student-athletes are not employees; “[i]f a student wins a Rhodes scholarship or if the debate team wins a national 14 award that undoubtedly benefits the school, but does not mean that the student and the team are in the service of the school”) (internal quotation marks and citation omitted).

Walk-on student-athletes confirm

**ACE 14** writes[[47]](#footnote-47)

The example of walk-on student-athletes is illuminating. **Walk-ons**, whom the Regional Director agreed are not employees, **are subject to the same rigorous schedule as scholarship athletes. Yet it would be absurd to characterize their participation as rendering services** to the institution. For one thing, **they pay tuition without athletic aid**. The notion that a student-athlete would remunerate the institution for the privilege to render services is illogical and counter to experience; **employees do not pay employers for the opportunity to work**. The reason thousands of students play collegiate sports without any athletic scholarship is that they benefit from the experience. Yet **if walk-ons do not render services, the same must be true of scholarship athletes, as both groups of students are subject to the same expectations as team members**. Student-athletes do not render services to the institution; rather, as untold numbers of former and current student-athletes can attest, rewards flow to the student in the form of personal growth.

B. Scholarships aren’t a form of compensation

**ACE 14** writes[[48]](#footnote-48)

Scholarship-athletes do not fit the common law definition of employee for another reason: the **scholarships** they receive **are not compensation** for services rendered. Fundamentally, **athletic scholarships are tuition discounts** for students as consumers of the college’s educational offerings. Scholarships earmarked for students pursuing particular academic or extracurricular activities are common in higher education. See part I, supra & n.1 (collecting examples); Waldrep v. Tex. Emp’rs Ins. Ass’n, 21 S.W.3d 692, 701 (Tex. Ct. App. 2000) (“Financial-aid awards are given to many college and university students based on their abilities in various areas, including music, academics, art, and athletics.”). Conditional scholarships enhance the educational environment by attracting talented students who contribute to campus life, but that intangible benefit does not transform these scholarships into contracts for hire. See id. An academic scholarship, for example, may be conditioned on completion of a particular educational program; yet plainly it is not compensation for services rendered—even though the institution and the department may benefit from the student’s attendance, set degree requirements, and supervise the student’s completion of the academic program. Athletic **scholarships bear no meaningful resemblance to a contract of hire. All the student-athlete need do is participate** in the activity**, just like a student on** a **scholarship for** the **debate** team, the marching band, or English majors. As with other forms of financial aid—and distinct from compensation—**the scholarship amount is based on the student’s cost of attendance, not hours “worked” or contribution to the team**. See 20 U.S.C. § 1087kk (capping the amount of federal student financial aid for the neediest students at the cost of attendance); cf. NCAA, 2013– 14 NCAA Division I Manual §§ 15.01.6, 15.02.5 (capping award of financial aid at “cost of attendance that normally is incurred by students enrolled in a comparable program at that institution” and capping athletic scholarship at cost of tuition and fees, room and board, and required course-related books). The athlete’s skill level, star power, and statistical performance on the field do not affect the amount of award, as would be the case with a contract of hire. In sum, **scholarship student-athletes are not common law employees.**

### Extra AT Scholarships

Court precedent confirms that the NLRA doesn’t cover primarily student relationships

**ACE 14** writes[[49]](#footnote-49)

This silence is hardly surprising. Congress enacted the NLRA to address “strikes, industrial strife and unrest that preceded the Act . . . caused by the ‘inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers.’” Brown, 342 NLRB at 487 (citation omitted). “The Act was premised on the view that there is a fundamental conflict between the interests of the employers and employees engaged in collective-bargaining under its auspices and that [t]he parties . . . proceed from contrary and to an extent antagonistic viewpoints and concepts of self-interest.” Id. at 487– 88 (citation and internal quotations omitted). Against this background, application of the NLRA in the context of a college student’s extracurricular athletic activity is plainly misplaced. Indeed, **citing decades of Board precedent, the Board concluded in Brown that Congress never intended the NLRA to cover “primarily student” relationships.** Id. at 488. Under Brown, **the question is whether** the **purported employees have a “primarily educational**, not economic, **relationship** with their university.” See id. at 487–88 (“The Board’s longstanding rule [is] that it will not assert jurisdiction over relationships that are ‘primarily education’ . . . .”). If so, they are not NLRA employees regardless of the common law. See id. at 488–91; The Leland Stanford Junior Univ., 214 NLRB 621, 623 (1974). In Brown, the Board found persuasive evidence that a “primarily student” relationship existed between the university and its graduate student assistants and concluded that the NLRA did not apply. Brown at 488–91 (emphasizing “the status of graduate student assistants as students, the role of graduate student assistantships in graduate education, the graduate student assistants’ relationship with the faculty, and the financial support they receive to attend Brown”). **Like** the **graduate student assistants** in Brown, **scholarship student-athletes are primarily students. As in Brown and Stanford, the prerequisite to participation is enrollment as a student**. E.g., 342 NLRB at 488 (“We emphasize the simple, undisputed fact that all the petitioned-for individuals are students and must first be enrolled at Brown to be awarded a TA, RA, or proctorship.”). Further, as explained above, participation in intercollegiate athletics is an “‘integral part’” of the “‘educational program.’” Id. at 489 (citation omitted). And, importantly, **scholarship student-athletes must achieve satisfactory academic progress** before they may participate in sports, and eligibility is thus inextricably intertwined with a school’s academic requirements. This fact undercuts the importance the Regional Director placed on whether an institution awards academic credit for athletic participation. The question is not whether the institution awards such credit, but whether academic eligibility may become a subject of collective bargaining; and if scholarship student athletes were deemed employees, there is no principled basis to assume it would not. As the Board concluded in Brown, bargaining would become entangled with a school’s academic standards, and the same academic freedom concerns cited in Brown and Stanford would arise.

Scholarships aren’t the same as payment to employees

**ACE 14** writes[[50]](#footnote-50)

There is another important reason that scholarship student-athletes are primarily students. Like the scholarships in Brown and Stanford, and **unlike payment to employees,** athletic **scholarships are not dependent on the nature** or intrinsic value **of** any **services** allegedly **performed by**, or the skill or function of, **the recipient. Athletic scholarships are calibrated to** the **cost of attendance** so as **to enable students to obtain an education**, see 342 NLRB at 487, **and the student receives a fixed amount regardless of value added to the team**. This calculation method further underscores that scholarship student-athletes are “primarily students”—indeed, **they are fully students—**and therefore **not** statutory **employees** under Brown.8

## Limits Weighing

### Limits Good – Participation

Large limits destroy debate, which is the largest impact to any form of fairness or education

**Rowland 84** writes[[51]](#footnote-51)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This **decline in policy debate is tied,** many in the work group believe, **to** excessively **broad topics**. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the **breadth of the topics has all but destroyed novice debate**. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. **They are unable to cope** with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that **broad topics** also **discourage experienced debaters from continued participation** in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that entire **programs** either **cease functioning** or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

This also **outweighs** any discursive benefit to athletics affs since if people can’t participate in debate, they can’t have the discussions they say are key to social change.

### Limits Good – Creativity

Limits are an intellectual necessity and are key to creativity.

**Intrator 10** writes[[52]](#footnote-52)

**One** of the most pernicious **myth**s about creativity, one that seriously inhibits creative thinking and innovation, **is** the belief **that one needs to “think outside the box**.” As someone who has worked for decades as a professional creative, **nothing could be further from the truth**. This a is view shared by the vast majority of creatives, expressed famously by the modernist designer Charles Eames when he wrote, “**Design depends** largely up**on constraints**.” The myth of **thinking outside the box stems from a fundamental misconception of** what **creativity** is, and what it’s not. In the popular imagination, creativity is something weird and wacky. The creative process is magical, or divinely inspired. But, in fact, **creativity is** not about divine inspiration or magic. It’s about **problem-solving, and** by definition **a problem is a constraint**, a limit, a box. One of the best illustrations of this is the work of **photographers**. They **create by excluding the** great **mass what’s before them, choosing a small frame** in which to work. Within that tiny frame, literally a box, they uncover relationships and establish priorities. What makes creative problem-solving uniquely challenging is that you, as the creator, are the one defining the problem. You’re the one choosing the frame. And you alone determine what’s an effective solution. This can be quite demanding, both intellectually and emotionally. **Intellectually, you are required to establish limits**, set priorities, and cull patterns and relationships **from a great deal of material**, much of it fragmentary. More often than not, this is the material you generated during brainstorming sessions. At the end of these sessions, you’re usually left with a big mess of ideas, half-ideas, vague notions, and the like. Now, chances are you’ve had a great time making your mess. You might have gone off-site, enjoyed a “brainstorming camp,” played a number of warm-up games. You feel artistic and empowered. But to be truly creative, you have to clean up your mess, organizing those fragments into something real, something useful, something that actually works. That’s the hard part. It takes a lot of energy, time, and willpower to make sense of the mess you’ve just generated. It also can be emotionally difficult. **You’ll need to throw out many ideas you** originally **thought were great**, ideas you’ve become attached to, **because they** simply **don’t fit into the rules** you’re creating as you build your box.

Limits increase creativity. They provide space for specific clash creating new possibilities. **Armstrong 2k** writes[[53]](#footnote-53)

The contradictory combination of restriction and openness in how play deploys power is evident in Iser’s analysis of “regulatory” and “aleatory” rules. Even the **regulatory rules**, which set down the conditions participants submit to in order to play a game, “permit a certain range of combinations while also establishing a code of possible play. . . . Since these rules **limit the** text **game without producing it, they are regulatory but not prescriptive**. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own” (FI 273). **Submitting to** the discipline of regulatory **restrictions is** both constraining and **enabling because it makes possible certain kinds of interaction** that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codiﬁed as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more ﬂexible and openended and more susceptible to variation than regulatory rules, but they too are characterized by a contradictory combination of constraint and possibility, limitation and unpredictability, discipline and spontaneity. As a **rule-governed** but open-ended activity, **play provides a model for deploying power in a nonrepressive manner that makes creativity** and innovation **possible not in spite of** disciplinary **constraints but because of them**. Not all power is playful, of course, and some restrictions are more coercive than enabling. But thinking about the power of constraints on the model of rules governing play helps to explain the paradox that restrictions can be productive rather than merely repressive. **Seeing constraints** as structures for establishing a play-space and **as guides for practices** of exchange within it envisions power not necessarily and always as a force to be resisted in the interests of freedom; it **allows imagining** the potential for power to become **a constructive social energy that can animate** games of to-and-fro **exchange between participants** **whose possibilities for self-discovery and** self-**expansion are enhanced by the limits shaping their interactions.**

# \*\*\*PVP Hong Kong AC\*\*\*

# Hong Kong Cards

## General Stuff

### AT: MWC

#### MWC Has A Pro-Government Bias; Plan Can’t Help Workers

A.F.P., 2010:

(Hong Kong Workers Demand Minimum Wage Law. Agence-France Presse. July 14, 2010.)

"Ironically, Hong Kong is now discussing the road to democracy. But how can there be democracy if workers' interests continue to be attacked by the big businesses?" said Eni Lestari, of the Asian Migrants' Coordinating Body. Labour rights groups have campaigned for a minimum wage law for more than a decade, but it was delayed by a government largely influenced by the city's powerful business elite. Although lawmakers are expected to pass the bill this week, pro-democracy politicians were critical of its effectiveness in protecting workers. One major criticism is that under the proposal, all members of the Provisional Minimum Wage Commission, a body tasked to fix and review minimum wage levels, will be government-appointed. "There are many serious flaws in this bill. Will the workers be better off with or without it? I have my reservations," said Ronny Tong, a Civic Party legislator.

### UE

Minimum wage increases interfere with free market capitalism in Hong Kong; this causes unemployment.

**Tupy 4** writes[[54]](#footnote-54)

**Hong Kong has been a beacon of free-market capitalism** for decades. The Economic Freedom of the World report, published by **the Fraser Institute** in Canada, **has ranked Hong Kong** as **the world’s freest economy since 1970**. Few people doubt that the free market served the people of Hong Kong very well: According to the World Bank, Hong Kong’s per capita income, when adjusted for purchasing-power parity, was $27,490 in 2002. That is $910 more than a comparable figure for the United Kingdom, Hong Kong’s former colonial master. Hong Kong’s unique transformation from a barren rock to one of the world’s richest countries serves as an inspiration to poor nations around the world. What is not unique is the struggle waged by those who wish to save Hong Kong’s free-market economy from political interference, which, though it is based on good intentions, is often harmful in practice. Hong Kong’s legislators, who wish to institute minimum wage, no doubt feel that they are benefiting workers. Indeed, some workers would see their incomes rise. But there will be unseen victims of the law–those who will either lose their jobs or will not be hired in the first place, thus contributing to the rise of Hong Kong’s 7.2 percent unemployment. **Wages**, like other prices in the marketplace, **behave according to** the laws of **supply and demand**. If prices go up, demand goes down. **When** the **cost of labor becomes more expensive, fewer people get hired**. Oversupply of labor, which increases when the cost of labor is higher than the market rate, is known as rising unemployment. In 1946, George Stigler, a Nobel laureate, pointed out that the minimum wage negatively affects the level of employment. Stigler’s view now enjoys near-total acceptance in the economic profession. The question, therefore, is not whether–but how much–the minimum-wage law would hurt the people of Hong Kong. To get an idea, let us look at the experiences with similar measures in the United States. The American minimum-wage law was enacted in 1938. The hourly wage was set at 25 cents an hour, or 40 percent of the actual average wage. Merely one year later, the federal government had enough data to conclude that between 30,000 and 50,000 people lost their jobs throughout the country as a direct result of the minimum wage. That was 65 years ago, and the minimum wage is still with us–having increased 20 times in nominal terms. Historically, the greatest impact of the law has been on workers with low skills. **Low-skilled workers compete for jobs with more skilled but better paid workers. Increases in** the **minimum wage, therefore, price low-skilled workers out of the** job **market**. That suits trade unions, whose primary concern is to protect the jobs of the existing, well-paid, and unionized laborers. However, uunionized workers only make up a small percentage of the labor force. As a result, minimum wages have had a disproportionately negative affect on young people and ethnic minorities. **A 1998 OECD study found that** a **10 percent increase in the minimum wage reduced teen**age **employment by 2 to 4 percent**. Those conclusions were similar to those of the federal Minimum Wage Study Commission, which found in 1981 that each 10 percent increase in the minimum wage reduced teenage employment by 1 to 3 percent. In addition, a 1995 study by the National Center for Policy Analysis found a strong correlation between fluctuation in the real minimum wage and unemployment. Because of inflation, the real minimum wage in the United States declined from $5.15 to $4 between 1983 and 1990. Teenage unemployment fell from about 23 percent to less then 15 percent over the same period. When the real minimum wage rose in 1991, teenage unemployment rose as well. Equally disconcerting is the effect that the minimum-wage law has had on black Americans. Between 1948 and 1995, the black-teenage-male rate of unemployment increased from 9.4 percent to 37.1 percent. The white-teenage-male rate of unemployment, however, only rose from 10.2 percent to 15.6 percent over the same period. As Walter Williams, an American economist, showed in his research of the United States and South Africa, the minimum wage increases black unemployment by diminishing the cost of discrimination. Profit-maximizing business owners hire more minorities with low skill levels and correspondingly lower wages. When the minimum wage eliminates price competition, racially discriminatory views are no longer offset by negative financial consequences and minority unemployment increases. Overall, the case against minimum-wage legislation in the United States is overwhelming. Hong Kong’s economy functions according to the same laws of economics and it is, therefore, likely that minimum-wage legislation there will result in unintended negative consequences and harm the very people whom it is supposed to help.

Minimum wage legislation causes minority unemployment.

**Tupy 4** writes[[55]](#footnote-55)

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Minimum wage increase in Hong Kong causes unemployment

**Tse 14** writes[[56]](#footnote-56)

**More than 150,000 workers in Hong Kong are expected to receive an** 8.3 percent **increase in** their **minimum wage**s next year. According to the Secretary for Labor and Welfare Matthew Cheung Kin-chung, the Provisional Minimum Wage Commission has proposed to raise the statutory minimum pay to HK$32.5 (US$4.2) per hour, up from HK$30 at present. The new minimum wage policy is awaiting approval from Chief Executive Leung Chun-ying and Executive Council, and is expected to take effect in May next year. Cheung told media last week that more than 200,000 people have re-entered the labor market over the last three years as a result of the minimum wage policy. Middle-aged women have rejoined the labor force and the economic situation of the working poor (workers whose incomes fall below a given poverty line) has also improved. Still, the minimum wage policy has been a subject of debate. There are worries that raising the minimum wage will discourage companies to hire more people, and bosses will try to keep down the labor cost by increasing the workload of its current employees and cutting back benefits. On the other hand, some quarters point to the positive impact of the policy on the living standards of the poor. Jeffrey Lam Kin-fung, a representative of the employers and vice chairman of the Business and Professionals Alliance for Hong Kong, is against the bill, warning that small and mid-sized firms would suffer if the minimum wage rose further. Lam also said the Occupy campaign is hurting consumer sentiment and affecting the retail and catering businesses. In view of the political uncertainties, he said, now is not the right time for workers to ask for a large pay rise. Leung Chau-ting, a worker representative at the Labor Advisory Board, supports the pay hike, noting that the proposed HK$32.5 minimum wage won’t even be enough. He told the media that at the proposed level, the minimum wage worker’s monthly income would just be around HK$6,700. He said HK$35 is a more appropriate level, which amounts to HK$7,200 a month. These few hundred dollars of additional income would be “extremely important for the poor”, Leung added. **Experience of foreign countries shows that** a minimum wage policy **would raise** the **living standards of some** workers, **but** it may also **hurt others**. For those who are working full-time, a rise in the minimum wage could definitely raise their total income. However, **the policy has also prompted employers to cut** the number of **full-time jobs and hire more temporary workers** in order **to bring down costs**. In other words, the **“disemployment” effect could lower the number of full-time workers**. So while full-time workers benefit from the hike, others may be crowded out and forced to become part-time workers and earn even less.

Minimum wage increases cause unemployment and interfere with the free market. Before Hong Kong had a minimum wage, it prospered because of a super free market

**Dorn 14** writes[[57]](#footnote-57)

When President Obama advocates a higher minimum wage in his State of the Union Address, he will no doubt argue that by increasing the minimum to $10.10, workers will have fatter pay checks and spend more, thus stimulating the economy and creating more jobs. In fact, economic logic tells a different story. **The law of demand is more powerful than** the **minimum wage law: when the price of** anything, including **labor**, **goes up**, the **quantity demanded goes down**, other things constant. **No one has ever disproven this economic law**—and neither the President nor Congress can overturn it. The idea that raising the minimum wage will increase income confuses the price of labor (the wage rate) with labor income (wage rate x hours worked). If a worker loses her job or can’t find a job at the higher minimum wage, her income is zero. Proponents of the minimum wage argue that those workers who do retain their jobs will consume more, which will increase aggregate demand and increase GDP. But that line of argument is a case of upside-down economics. Consumption is not a determinant of economic growth; it is the result of a prior increase in production. Workers cannot be paid what they haven’t first produced. A **higher minimum wage—without a corresponding** increase in the demand for labor caused by an **increase in labor productivity** (due to more capital per worker, better technology, or more education)—**will mean** fewer jobs, slower job growth, and **higher unemployment** for lower-skilled workers. Higher-skilled workers and union workers will benefit, but only at the expense of lower-skilled workers, especially the young and minorities. There is no free lunch. Small business owners will see their profits cut, which will either drive them out of business or slow their expansion. If prices are increased to offset the higher minimum wage—something that is difficult in globally competitive markets—consumers will have less money to spend on other things. Thus, there will be no net increase in employment. Moreover, an increase in the minimum wage cannot lead to an increase in aggregate demand unless the Federal Reserve accommodates the higher minimum by pumping up the money supply, which would lead to inflation and a loss of purchasing power. Mr. President, there is no magical way to stimulate the economy by increasing the minimum wage. The only sure way to increase jobs and wages for lower-skilled workers, and thus to increase their standard of living, is to increase economic growth. The minimum wage is neither necessary nor sufficient for economic growth. **Hong Kong grew rich without a minimum wage because it undertook** the **reforms that fuel growth: free trade, low tax rates, limited government**, a stable rule of law that safeguards private property, sound money, **and low costs of doing business**. The United States should do likewise. **Increasing** the **minimum wage is the wrong medicine** for an ailing economy. **Further government intervention in free markets is the path toward socialism**, not market liberalism. **Letting free markets determine wage rates is consistent** with a free society and also **with economic logic**. It is the surest path toward greater income mobility as younger, low-skilled workers get experience and move up the income ladder. Cutting that ladder off by mandating a higher minimum wage is a recipe for poverty not progress.

### Rels

Accepting Occupy Central’s demand for a living wage kills economic relations between Hong Kong and China; those are key to Hong Kong’s economy

**Quirk 14** writes[[58]](#footnote-58)

Many times, “Occupy Central” has been likened to Tiananmen Square; however, when you examine the underlying cause of the movement, “**Occupy Central**” begins to look a lot more like “Occupy Wall Street.” Both movements **reflect** youth **dissatisfaction with** income polarization, diminishing advancement opportunities, and an **inability to earn a living wage in a city where external forces drive the cost of everything**, from an apartment to a sandwich to tuition, through the roof. **In this context, China begins to looks more like the scapegoat** than the instigator. **Hong Kong thrives on its open economy** relative to the surrounding region. By providing access to the Chinese economy on a capitalist platform, they have served as Eastern intermediaries to the Western world. However, as China continues to open their economic doors, any sort of **heightened regulation in Hong Kong**, whether political or economic, **is received negatively**. **They must stay ahead of the democratic curve to maintain their competitive advantage**. Going forward, **contrary to popular protest aims, it is in Hong Kong’s best interest to form collaborative** progressive social and economic **policy** that is **closely tied to China**, not separated from it. Although counter-intuitive, their relationship is too intertwined to sever. **China is Hong Kong’s largest export partner** with 58 percent of net exports, as well as their largest import partner at 45 percent of net imports. Of funds invested directly into Hong Kong from abroad, 75 percent come from China, and 75 percent of visitors to Hong Kong each year come from mainland China. Long story short, **Hong Kong needs China**. Even more worrisome to Hong Kong’s future is the rapid shift in geographic capital allocation within the Chinese–Hong Kong economy. In 2012, funds flowing in from foreign countries decreased by 20 percent in Hong Kong while they increased by 20 percent in Shanghai. This change reflects a growing international attitude that Hong Kong might no longer be the Chinese gatekeepers. Because of China’s increasingly accommodating globalized economy, foreign investors go straight to the growing economies; there is no need to go through Hong Kong as the middle man.

### T Card

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**HKRMA 14** writes[[59]](#footnote-59)

**Since its introduction to Hong Kong, the Statutory Minimum Wage** (SMW) **has created significant impacts to the labour market**, businesses, as well as the society and the economy. Hence, the Hong Kong Retail Management Association (HKRMA) considers it paramount that the Minimum Wage Commission (MWC) should conduct the second review of the SMW rate prudently. The review should best be done by following rational considerations that adhere to the law, rather than succumbing to social pressure and political expedience. 2. The HKRMA considers the review should follow the basic principles below: (a) The legislative intention and stipulations should be adhered to closely: The review should focus strictly on the purpose enshrined in the Minimum Wage Ordinance (MWO), i.e. to “maintain an appropriate balance between the objectives of forestalling excessively low wages and minimizing the loss of low-paid jobs; and to sustain Hong Kong’s economic growth and competitiveness”. The original intent of SMW as a wage floor and not a living wage for workers should be maintained. 2 (b) SMW’s impacts and risks should be fully assessed and shared with the public: To follow MWC’s own pledge that the review is “objective, evidence-based and balanced”, the Commission should focus first on understanding and sharing with the public SMW’s full impacts on workers, businesses, the society and the economy since the last rate review, before adjusting the rate again. An assessment on the economic risks of further SMW adjustment should also be included, as there are signs of slower or even negative growth in industries (such as the retail industry) and the economy as a whole. (c) The review must ensure fairness to stakeholder sectors and NOT repeat the unfairness to employers: In setting the SMW, employers were unfairly pressurized to pay employees for non-work hours, which were not specified in the law. Conflict was generated, causing unnecessary disruption to social harmony. This should not recur again. Considerations on the Consultation Following the above basic principles, the HKRMA proposes that the MWC should heed the considerations below over the consultation process and its circumstances during the SMW rate review: 3. The consultation process: There is currently insufficient information and understanding on SMW’s actual impacts on workers, businesses, the society and the economy. Such information is important to foster “evidence-based” and “rational” discussions in the SMW rate review and consultation, as highlighted in the MWC homepage, press statements and reports. Accordingly, the MWC should prioritize collecting, commissioning and releasing comprehensive and in-depth studies on SMW’s impacts to facilitate public understanding. It should also publish a proper, full consultation paper or a draft report to facilitate collection of public comments, which is a prerequisite and basic practice in present-day public consultations. The scarcity of information and yet-to-be-studied topics are detailed below: (a) In this SMW rate review, the MWC refers the public to only a few raw reference materials (namely, “Relevant Information and Data” and Census and Statistic Department’s report on earning and work hours), which are highly insufficient to 3 foster an informed discussion. The only other official reference available is the Government’s commissioned study in 2012 on the knock-on effect of the SMW.1 (b) Currently, **very few empirical studies on SMW’s** social and economic **impacts are available. Some** of the studies **focus on a narrow set of stakeholders, a selected scope of impact, or mostly** cover **data** only **until 2012**. Researchers of most of these studies also called for a closer tracking of the situation to better understand SMW’s impacts. Even the Central Policy Unit, the government think tank, announced only in March 2014 to include the SMW as a new indicative research area in its Public Policy Research Funding Scheme3 .

### Social Mobility

Minimum wage hike in Hong Kong kills the quality of goods and services and doesn’t solve the root cause of low social mobility

**Ho 13** writes[[60]](#footnote-60)

In my opinion, setting minimum wage can really help those low-income employees to be paid fairly. With the excessive inflation, the average of daily expenses is rocketing while the wages of many employees **in Hong Kong** are still at a low level. Some workers only have less than HK$10 per hour. It is really hard for them to survive under the inflation so setting minimum wage is a must. The **rise of minimum wage is favourable to** help **the low-income family. However, is it really good to the whole city? I don’t think so**.   To begin with, the minimum wage leads to some side effects on other workers. There is a misallocation of human resource on different jobs. With minimum wage, people are only willing to work for those less physically demanding jobs instead. So there are no people willing to work on jobs like cleaning toilets, washing dishes, etc. Also **poor morale is formed because not all staff has an increase in salary**. The law is unfair to other employees. **With bad morale,** the **quality of services and products is adversely affected**. So the minimum wage is not good for the city development. Another reason is that the **increase of minimum salary is not fixing the** deep **root problem of low-income** group of **workers. The main need** of those low-income **is to be trained to enhance their competitiveness in finding** a **higher salary jobs**. However, only **an increase in a small amount of salary cannot help them** to **upgrade themselves**. Then they can only relay on the government’s subsidies in the future life. Without providing talent trainings, workers are not being helped in the long run.

### HK Competitiveness Link

The aff kills Hong Kong’s economic competitiveness

**Ho 13** writes[[61]](#footnote-61)

Last but not least, minimum wage can weaken the economy of Hong Kong. The **competitiveness of Hong Kong is decreasing. With** the **minimum wage,** the **salary expense increases and is transferred to customers by** setting **a higher price** of products and services. **Eventually it fuels** the **inflation** in Hong Kong. Also, **setting minimum wage means that the government intervene the labour market**. A **higher salary expenses may discourage investors** to invest **in Hong Kong**. So the overall economy is turned down.   Therefore, I think the minimum wage is not good to the society but still can help the low-income people. So, for me, setting minimum wage is the last resort. There are many other things can be done to help the low-income people. The government can provide value-added training to the low-income workers to upgrade themselves to provide better quality performance to the society. Also measures should be implemented to prevent the excessive inflation, like price control of the necessities in Hong Kong, providing subsidies on necessities, etc.

## Shipping Advantage

### Adv. CP

#### The Government of the Hong Kong Special Administrative Region ought to implement better maritime traffic control systems, including, but not limited to, the following:

#### Creating a comprehensive database of port accidents

#### Increasing implementation of Global Integrated Shipping Information System

#### Implementing strategies to strengthen traffic safety for passenger ships.

#### Solves The Shipping Advantage; Studies

Yip, 2008:

(Port-Traffic Risks- A Study Of Accidents In Hong Kong Waters. Transportation Research Part E 44 (2008) 921-931. Tsz Leung Yip, Department of Logistics, The Hong Kong Polytechnic University.)

Conclusions and further research This study provides valuable insights into the current status of port traffic risks in the literature. Marine traffic management currently puts most of its emphasis on controlling traffic. This study provides statistically significant evidence that the port of registration, the vessel type and the accident type are critical to the number of injuries and fatalities. From a managerial perspective, the findings have identified factors that can contribute to reducing the severity level of port accidents. The results demonstrate that marine collisions account for over two-thirds of all accidents within Hong Kong waters. About 5% and 20% of these accidents cause fatalities and injuries, respectively. The local risk environment of Hong Kong waters compares favorably with international norms. Accidents involving passenger- type vessels are more likely to result in injuries, whereas accidents in typhoon shelters have a lower probability of causing injuries. Traffic level is one of the main indicators for improvements in the efficiency and service of ports (De and Ghosh, 2003). As the container port market continues to emphasize faster and more reliable handling in ports and terminals, there is a need for Hong Kong and other busy ports to continue to deploy better and more effective traffic control systems to match the increasing volume of vessel and cargo movements. The major obstacle to the improvement of port traffic control is the lack of a comprehensive database of port accidents. Nevertheless, both the port authority and the private sector are making efforts to resolve the issue by developing value-added information platforms, such as the Global Integrated Shipping Information System (GISIS). The marginal effects of the estimated negative binomial regression analysis indicate that accidents with passenger type ships, including high speed ferries, sampans and pleasure vessels, result in a relatively high number of injuries, with each port accident involving passenger ships expected to result in more than one injury. The results suggest that policy strategies should therefore be provided for passenger ships in order to strengthen traffic safety. Further research is needed to compare port traffic risks across the world and to explore the impact of various traffic control philosophies. This study should be extended to consider the evolution of the adoption of information technology in port traffic control and how the adoption is affecting the traffic risks. This is important because any future framework of port traffic management should result from reducing port accidents and consequently enhancing efficiency.

#### Prefer My Evidence; Best Statistical Model

Yip, 2008:

(Port-Traffic Risks- A Study Of Accidents In Hong Kong Waters. Transportation Research Part E 44 (2008) 921-931. Tsz Leung Yip, Department of Logistics, The Hong Kong Polytechnic University.)

Existing port accident studies in the literature are based upon the use of single variable models by calculating the components distribution of variables (Christou, 1999; Ronza et al., 2003; Darbra and Casal, 2004) and do not test their statistical significance. However, because of the complexity of extensive port activities, any database containing fewer than 1000 records might not be large enough to identify any statistically significant variables. It is understood that accidents result from a number of factors and cannot normally be assessed on the basis of a single factor. More robust analyses, such as regression, have not yet been applied to the study of port traffic accidents. In different contexts of transportation safety, some negative binomial and Poisson regression models have been developed to study traffic safety and predict accident frequency. Loeb et al. (1994) provided a detailed review of transport accident studies and associated theories. Talley (2002) reviewed determinants of the number of injuries, deceased and missing occupants and the damage cost of maritime safety and accidents. Clarke and Loeb (2005) examined train fatalities and found that alcohol consumption appeared to be a significant contributor to fatalities. Loeb and Clarke (2007) studied truck accidents and identified alcohol consumption, unemployment rate and railroad activity as significant factors in truck accidents. Talley et al. (2006) investigated determinants of the severity of passenger vessel accidents and concluded that human mistakes result in a higher number of injuries and fatalities in passenger vessel accidents than environmental and vessel related causes. By reviewing more than 2000 accidents in Hong Kong port, which has been ranked the busiest port in the world in 1992–2004, this paper aims to illustrate the key characteristics of port risk profile for marine traffic management of high traffic volumes. Unlike previous port accident studies in the literature, a more robust approach – regression analysis – is applied to analyze port accidents in which multiple variables may play a part.

#### Prefer My Evidence; It’s The First Comprehensive Study On Port Accidents

Yip, 2008:

(Port-Traffic Risks- A Study Of Accidents In Hong Kong Waters. Transportation Research Part E 44 (2008) 921-931. Tsz Leung Yip, Department of Logistics, The Hong Kong Polytechnic University.)

There has been a strong focus on the relationship between marine accidents and vessel particulars, flag states and crews. However, despite seaports being a key part of the facilities for water transportation, there has, to date, been no comprehensive study on marine accidents within seaports. One reason for this is because a port policy is often designed specifically to fit the local situations. Another reason is because the port state jurisdiction over vessels is limited within the territorial sea but flag states have greater jurisdiction. Globalization of trade has led to a rapid increase in vessel movements in many seaports. Most busy seaports, as this trade continues to grow, will face many of the port risk issues observed in Hong Kong port today in the near future. This paper investigates port traffic risk issues by discussing historic accidents in Hong Kong port, which, for many years, was ranked as the world’s busiest port.

### U/Q (General)

#### No Uniqueness And Can’t Solve Alt Causes; Their Evidence

Chong 14

(Dennis Chong ,AFP reporter) “Accidents raise safety issues for crowded Hong Kong port” The China Post July 7, 2014)

Hong Kong is one of the world's busiest ports, but as a growing number of container ships compete with fishing boats for space in an ever-shrinking harbor, a spate of accidents has raised fears for maritime safety. The city, whose name means “fragrant harbor” in the Cantonese dialect, is as famous for its crowded shipping lanes as it is for its bustling streets. But a fatal collision between a local ferry and small pleasure boat in October 2012 left 39 people dead and sparked an investigation that discovered a “litany of errors” contributed to the tragedy. Since then, a number of other incidents — including two high-speed ferry accidents that injured scores of passengers and the grounding of a large container ship — have left those who ply Hong Kong's waters worried. Hong Kong's glittering skyscrapers are built around the iconic Victoria Harbor, where thousands of people criss-cross the waterways that separate the mainland and the city's islands daily. Annual vessel arrivals in the southern Chinese city have almost doubled since 1990 to almost 200,000 in 2013. Much of this increase is due to the construction of ports in the neighboring Chinese trading hub of the Pearl River Delta, which has led to more container ship traffic. Hong Kong itself is home to the world's fourth-largest container port. Kwok Mook-kiu, 69, who has worked as a small fishing boat or “sampan” operator for more than 30 years, said it is increasingly difficult to navigate a safe path. “There are so many more ships now. If a big cargo vessel passes by, I will just stop and wait until it is gone,” she told AFP. Intense Traffic “Few ports have the same intensity of marine traffic, or range of vessel sizes,” said Richard Colwill, who has worked as a marine planner in the city for 17 years Around 1,000 container ships and high-speed ferries use the city's waters each day, said Colwill, sharing routes with fishing boats, tug boats, yachts, cargo barges and local ferries. But while he believes the waters are safe, the increasing number of ferries means that if there is a collision, the potential for casualties is greater. “Should an incident occur, we are having more serious consequences because of a higher proportion of ferries within the traffic mix,” said Colwill, managing director at infrastructure consultancy BMT Asia Pacific. In May, a high-speed ferry collided with a cargo ship, injuring more than 30 people, and in November last year a high-speed ferry crashed into an unidentified object, leaving 87 hurt. That incident also highlighted the problem of rubbish strewn across the waterways. Tony Yeung, a former captain who now heads a local marine training institute, says obstacles as large as beds and refrigerators would force him to make a detour on busy sea routes. “When you are riding a high-speed ferry and you run into any of them, it can be very serious. When you go around them quickly, there may be other ferries beside you that you can crash into,” he said. Shrinking Harbor Boat operators say there is also a problem with land reclamation, which has seen Victoria Harbor shrink over the decades to create more space in a densely packed city. “The harbor has shrunk. The government wants land everywhere,” sampan operator Kwok said, adding that this increases risks. But the government's marine department defends its safety record, saying the number of collisions has fallen, from 327 in 1995 to 183 in 2012. “The average number of collisions is about 170 cases in the past five years. Most of the cases were minor in nature,” a marine department spokeswoman told AFP, describing there to be about 135,000 passenger trips made daily on local passenger vessels. The probe into the 2012 tragedy found safety measures were not enforced by inspectors for the department, described as “understaffed and underfunded” for the past decade by Paul Zimmerman, CEO of Designing Hong Kong, which campaigns for better planning and policies in the city. “The report thereafter basically found that in the last 20-odd years, the marine department adhered to some very casual attitudes and has not put good effort into maintaining a comprehensive inspection system,” lawmaker James To, who assisted the families of the victims, told AFP. The department, which said it has “strengthened” ship inspections after the disaster, has proposed improvement measures including a requirement for large passenger ships to carry better tracking and communication equipment. Meanwhile, those who spend every day on Hong Kong's frenetic waterways say vigilance is key to survival. “Of course I am worried about accidents, I am always afraid,” a 72-year-old ferry captain surnamed Lai said. “Sea traffic is busier now... just like crossing a busy road, you have to pay extra attention.”

#### No Hong Kong Port Accidents; Expert Evidence

Mullany and Bradsher, 2014:

(11 Missing After Cargo Ships Collide Near Hong Kong. Gerry Mullany and Keith Bradsher, Journalists For The New York Times. May 5, 2014.)

Hong Kong is one of the world’s busiest ports, and it is not uncommon at night or during fog to hear a series of sonorous blasts from a freighter, warning a smaller vessel to move out of the way. The city is also home to a large fleet of fishing vessels. But Alan Loynd, the former senior salvage master of Hong Kong Salvage & Towage, which is the main marine salvage and towing company in the city, said that Hong Kong had not had more of a problem over the years than other large ports with collisions and close calls among fishing vessels and freighters. “There have been occasional cases like everybody else, but nothing special,” he said. Mr. Loynd, who is also the chairman of the International Tugmasters Association, a marine safety and advocacy group that represents the ship towing industry, noted that a powerful thunderstorm had been moving through the Hong Kong area about the time of the collision. But he cautioned that there was no information available yet on whether the vessels were under or close to the thunderstorm at the moment of impact.

### S/D (General)

#### Can’t Solve Alt Causes; Fog And Lightning

Mullany and Bradsher, 2014:

(11 Missing After Cargo Ships Collide Near Hong Kong. Gerry Mullany and Keith Bradsher, Journalists For The New York Times. May 5, 2014.)

Modern marine radar systems aboard freighters are very good at spotting lower-riding vessels, provided the systems are properly adjusted, Mr. Loynd said. But very heavy rainfall, as occurred at times during the thunderstorm, might degrade radar performance somewhat, he said, while the very frequent lightning strikes during the thunderstorm also might have affected radar. Hong Kong has long had a reputation for heavy springtime fog. That has been compounded in recent years by severe smog, coming from factories in nearby mainland China as well as from sources in Hong Kong itself. Visibility fell to 1,800 feet during an especially dense predawn smog in August 2004, and four collisions involving a total of eight ships were recorded in a single hour, although no one was killed in any of them.

#### Living Wage Fails; Training And Retirements Overwhelm The Plan

White, 2010:

(Global Shipping Industry Faces Worker Shortage. November 25, 2010. Ronald D. White, Journalist For The Los Angeles Time)

After an unwelcome reprieve caused by the global recession, employers in international trade again are growing concerned about whether there will be enough qualified candidates to fill the next generation of cargo and logistics jobs. A spate of reports over the last two years has conjured up images of ships with too few seafarers to operate them, truck-ready freight with too few drivers to do the hauling and warehouse and distribution centers without enough qualified administrators to run them. The worldwide shipping industry, which employs more than 1 million people to crew its technologically advanced vessels, is having trouble training enough seafarers, the International Maritime Organization said recently. It forecast a shortfall of 27,000 to 46,000 ships' officers in the near future. The U.S. trucking industry will need to hire about 200,000 drivers this year and another 200,000 by the end of 2011 to keep up with expected growth as more and more drivers hang up their keys, according to the Council of Supply Chain Management Professionals. "This is a growth industry and we're facing a lot of retirements," said Tom Good, a director of sales and marketing for Matson Navigation Co., an Oakland shipping outfit with significant operations in Southern California. "Businesses are worried, and we have a serious need for an educated workforce who understands what we do." It might seem odd to talk about an impending workforce shortage in what has been a mostly weak economic recovery. But shortages are looming in every sector of the maritime industry and international trade just as world economies creep back into the black after the worst global recession since World War II. "A ship can be built in two years, but it takes a minimum of three years to properly train someone to work on it," said Bill Davis, senior vice president for Wells Fargo Insurance Services. "The gap continues to widen and the impact on cargo, equipment and lives has already reached unacceptable levels." The squeeze will be felt strongly in Southern California, where the ports of Los Angeles and Long Beach handle more than 40% of the nation's imported goods. Greatwide Logistics Services is one of the companies already feeling the pinch. The trucking company hauls steel, groceries and apparel for clients throughout California but is struggling to maintain its roster of 5,000 drivers as older drivers retire. "We now spend more money on finding, winning and keeping young drivers than we spend on marketing to our customers," said Dick Metzler, chief marketing officer of the Dallas firm. "This is the No. 1 issue facing our company right now." To address the need, local schools are expanding programs despite budgetary constraints. Not only are these types of jobs expected to increase as the economy improves, but the salaries are also pretty good. Dockworkers, for instance, earn some of the highest blue-collar wages in the nation, between $22 and $35 an hour. For several years Banning High School, named for Los Angeles port founder Phineas Banning, has operated four international trade academies that combine traditional core academic subjects with beginning business course work. The academy concept has spread. Barstow High School's Mojave XP Global Logistics Academy opened in 2007, followed by Carson High School's Global Business Academy that same year. San Pedro High School's Earth Alert Academy was launched in 2009 and Gardena High School's Global Leadership Academy opened in September. Southern California also is home to several highly regarded college and graduate-level programs focusing on logistics and maritime education, including the California Maritime Academy, the Center for International Trade and Transportation at Cal State Long Beach and the masters degree program in logistics and materials management at the University of San Diego. "We don't have a workforce trained to respond to all of the various changing needs of the trade and transportation industry," said Tom O'Brien, director of research at the Center for International Trade and Transportation at Cal State Long Beach. The school recently added a program to train marine terminal operators in response to industry demand, he said. Good of Matson Navigation sees a "serious need" for more young people trained in the various aspects of international trade.

### INL/D (General)

#### Not Key To Global Shipping; Here’s A Top Ten List

Kable, 2013:

(October 14, 2013. The World’s 10 Biggest Ports. Ship-Technology.com, Published By Kable, A Trade Division Of Kable Intelligence Limited)

Seven of the 10 biggest ports in the world by cargo volume are in China. The remaining three are in Singapore,the Netherlands and South Korea. Ship-technology.com profiles the world's ten biggest ports based on 2012 cargo volume. Port of Shanghai The Port of Shanghai is the biggest port in the world based on cargo throughput. The Chinese port handled 744 million tonnes of cargo in 2012, including 32.5 million twenty-foot equivalent units (TEUs) of containers. The port is located at the mouth of the Yangtze River covering an area of 3,619km². Shanghai International Port Group (SIPG) owns the port facility. Wusongkou, Waigaoqiao and Yangshan are the three main container port areas. The port comprises of 125 berths with a total quay length of about 20km. It serves more than 2,000 container ships on a monthly basis and accounts for a quarter of China's total foreign trade. Port of Singapore The Port of Singapore, which handled 537.6 million tonnes of cargo in 2012, is the second biggest port in the world. The port's container throughput crossed the 30 million TEUs mark for the first time in 2012. The port terminals are located at Tanjong Pagar, Keppel, Brani, Pasir Panjang, Sembawang and Jurong. The terminals are managed by PSA Singapore and Jurong Port. The port receives an average of 140,000 vessels on an annual basis and connects to 600 ports globally. It is equipped with 204 quay cranes and a number of gantry cranes. A major terminal expansion project is currently underway at the Port of Singapore, which, when fully commissioned in 2020, will add 15 more berths. Port of Tianjin The third biggest port in the world is the Port of Tianjin (formerly Tanggu), which in 2012 witnessed remarkable increase of cargo and container throughputs by 5.3% and 6.2% respectively. It handled 476 million tonnes of cargo and 12.3 million TEUs of containers in 2012. Located in the mouth of Haihe River in northern China, the port covers an area of 336km² of water and 131km² of land. It connects to more than 500 ports and serves 189 countries. Tianjin Port Group Companies is the operator. The port features 159 berths and is made up of the northern port, southern harbour, Dongjiang Port, an economic zone in the southern region, the south-east region and other auxiliary harbours. Port of Guangzhou The Port of Guangzhou handled more than 460 million tonnes of cargo in 2012, making it the fourth biggest port in the world based on cargo traffic. The port is located in the middle of the Pearl River Delta. It is operated by Guangzhou Port Authority and handled the first 100 million tonnes of cargo in 1999. The cargo traffic has increased significantly since then. The port comprises four main areas including Downtown Port, Huangpu Port, Xinsha Port and Nansha Port Area. It is currently the largest loading and discharging port for coal in China. Port of Ningbo Port of Ningbo, which handled more than 453 million tonnes of cargo in 2012, is the fifth biggest port in the world. The port's TEU capacity also reached 15.6 million tonnes in the same year. The port is located in the coastal province of Zhejiang and is comprised of Beilun Port Area, Zhenhai Port Area, Ningbo Port Area, Daxie Port Area and Chuanshan Port Area. Ningbo Port Group is the operator of the port. Comprising of 309 berths, the port connects to more than 600 ports in more than 100 countries. It was recently been merged with the Port of Zhoushan. The combined TEU capacity of the two ports reached 16.83 million tonnes in 2012. Port of Rotterdam The Port of Rotterdam is currently the biggest port in Europe and the sixth biggest in the world by annual cargo throughput. The port handled 441.5 million tonnes of cargo in 2012. The port, including an industrial complex within its vicinity, stretches across a length of about 42km, covering an area of approximately 12,426ha. It is managed and operated by the Port of Rotterdam Authority (PoRA). It is the only port in north-western Europe that offers unrestricted access to ships with the deepest draughts. A major port expansion project, dubbed as Maasvlakte 2, was launched in 2008. The first phase of the expansion was opened in May 2013 and will eventually double the port's container transfer capacity. Port of Suzhou Port of Suzhou, which achieved a cargo throughput of 428 million tonnes in 2012, an increase of 12.61% from 2011, is currently the seventh biggest port in the world by cargo throughput. It is also one of the busiest inland river ports in the world. The port is owned by Suzhou Municipal Government. It comprises of Zhangjiagang, Changshu and Taicang ports, located on the lower reaches of the Yangtze River in Jiangsu province. The port features 224 berths and deals with hundreds of international and domestic shipping lines. It mainly trades in cargo including coal, steel and construction materials. The port authority is with Suzhou Harbour Administration Department. Port of Qingdao Port of Qingdao, located at the entrance to Jiaozhou Bay on the south coast of Shadong Peninsula, overlooking the Yellow Sea, handled more than 400 million tonnes of cargo in 2012. It currently ranks as the eighth biggest port in the world. The port is touted as the world's largest port for iron ore and China's largest port of crude oil. The port merges Qingdao Old Port, Huangdao Oil Port and Qianwan New Port, and is connected to more than 450 ports in more than 130 countries and regions across the world. Qingdao Economic and Technological Development Area, Qingdao Free Trade Zone and Qingdao High-tech Industrial Zone are located within the vicinity of the port. The port is operated by Qingdao Port Group. Port of Dalian Port of Dalian, located in the Liaodong Peninsula in Liaoning province, handled more than 303 million tonnes of cargo in 2012 ranking as the ninth biggest port in the world. Owned and managed by Dalian Port Company, the port comprises of seven areas, namely Daliangang, Dalianwan, Xianglujiao, Nianyuwan, Ganjinzi, Heizuizi, Si'ergou and Dayaowan. The port handles around 70% of the region's cargo and 90% of the region's container transportation. It features approximately 80 berths and is connected to approximately 99 shipping lines around the world. Port of Busan Port of Busan, located in mouth of the Naktong River in South Korea, is the tenth biggest port in the world based on cargo throughput. The port handled 298 million tonnes of cargo in 2012. Managed and operated by the Busan Port Authority (BPA), the port is made up of North Port, South Port, Gamcheon Port and Dadaepo Port, an international passenger terminal and six container terminals. The South Korean port handles 40% of the total marine export freights, 80% of container freights and 42% of fisheries production of the entire nation. It is spread over an area of 840,000m² and is capable of handling 169 vessels simultaneously.

### I/D (General)

#### Low Shipping Inevitable; Oversupply

Stratfor, 2013:

(Global Shipping Contends With Oversupply Problems. July 8, 2013. Stratfor)

Summary The global shipping industry is oversupplied. Because supply far exceeds demand, shipping rates have plummeted, as have the prices of ships. Some shipping companies have sought to capitalize on this trend by purchasing newer, larger ships at lower prices so that they can remain price competitive. But unless demand rebounds by the time these ships become operational, the industry's oversupply problem will only worsen. It is unclear whether the global shipping industry will normalize before these new ships enter the market. Demand could rise as the global economy recovers, or the supply of ships could somehow fall. But the economy's recovery could just as well be slower than anticipated. Several factors could prevent the industry from righting itself, not the least of which are inaccurate forecasts of future market behavior. In fact, the current state of global shipping was caused in part by incorrect predictions of continued growth prior to the 2008 financial crisis. In any case, continued poor performance and a sluggish global economy could eventually force the shipping industry to restructure. Analysis The most important factor to consider, in assessing the state of the shipping industry, is the state of the global economy. The international shipping industry accounts for approximately 90 percent of global trade by volume and is essential for connecting large sectors of the world's economy. Since 1734, the industry has seen more than 20 boom-bust cycles, which occur roughly once per decade. The most recent cycle began in 2004 and peaked in 2008 before declining rapidly at the onset of the global financial crisis. The downturn afflicted each of the industry's three main categories: tanker, dry bulk and container. While the volume of global trade has recovered somewhat — it grew 4 percent in 2011, marking a 16 percent growth in ton-kilometers — the shipping industry is still reeling from the financial crisis. Big, Efficient Fleets The industry right now has far more ships than it needs. Most shipping companies tend to reduce the price of their services in an effort to underbid their competitors. Either they reduce the cost per ton or the cost per container. This means most companies try to accrue the biggest and most efficient ships possible. Between 2007 and 2012, the average container ship's capacity increased by 27 percent. From a shipping company's perspective, overstocking a fleet with large ships while prices are low is a sound business move. Ships are long-term investments that can yield returns for 20 or 30 years, and trade will almost certainly pick up during the life span of any given ship. While purchasing new ships may seem counterintuitive in an oversupplied market, companies know that the capital cost of a ship plays a disproportionately large role in determining how profitable that ship will be, representing roughly half of all expenditures — including port fees, labor, fuel and other costs — over the course of the ship's lifetime. Buyers therefore take advantage of low prices whenever they can. The more efficient these ships are, the lower the price their owners can offer to potential customers. Maersk shipping company recently christened the first ship in its Triple-E line, which is now the largest line of container ships in the world. These ships are a quarter of a mile long, and they can hold roughly 11 percent more cargo than their nearest competitors. Overcapacity is a problem in itself, but the issue is complicated by the inherent lag in acquiring inventory. On average, it takes two to four years after the placement of an order for a ship to be built and delivered. Thus, ships ordered in 2008, when the industry began to decline, were not delivered until well after the financial crash. While shipping companies had hoped the economic downturn would end quickly as many had forecast, they could not afford to let their competitors build superior fleets — they were forced to continue buying just to stay competitive. An Informal Alliance Along with the economic downturn, the contest to outbid competitors helped keep shipping rates low. In turn, low rates have forced shipping companies to work for fees that often cover only the operating costs of the ships. In these instances, companies that are still paying off the capital investment of the ship are actually losing money. This is notable, considering the Drewry global freight rate index dropped more than 30 percent from July 2008 ($2,727 per forty-foot container) to May 2013 ($1,882 per forty-foot container). The threat posed by untenably low rates could transform the shipping industry. The world's three largest container lines — Maersk, CMA CGM and Mediterranean — have formed an alliance of sorts in an effort to reduce operating costs. The fact that the three largest companies in the industry are acting in concert indicates just how hard it has become for them to survive the downturn (to say nothing of smaller, poorer companies). Their informal alliance could portend further consolidation. Past consolidation efforts to control shipping prices were unsuccessful, but several outstanding issues, such as China's slowed growth and the European crisis, may keep global demand low enough to force the industry to restructure itself. In previous boom-bust cycles, demand and shipping rates rebounded as new ships became operational. It is unclear whether this will hold true in the current cycle. If it does not, newly acquired ships will only aggravate the industry's problems.

#### Low Shipping Inevitable; Piracy

Kavas, 2011:

(Somali Pirates In The Shipping Industry. October 10, 2011. Feray Yuksekbas Kavas, Sales Executive at MTS Logistics Inc. And M.B.A. From Istanbul University Business Administration)

Every year the number of pirate attacks in the shipping industry is increasing. According to global piracy reports from The International Chamber of Commerce and The International Maritime Bureau, 2010 was the most dangerous of all recorded years in international shipping. With as many as 53 ships hijacked at sea, 1181 sailors taken hostage and eight people killed. The waters off Somalia accounted for the majority of the hijack incidents, with 92 percent of all ship seizures last year (49 vessels hijacked and 1,016 crew members taken hostage). Modern pirates can be successful because a large amount of international commerce occurs via shipping. Approximately 80 percent of world trade is moving via ocean shipping. That means that 93,000 vessels and several billion tons of cargo. Today vessels are operating with smaller crews, as technology gets more advanced. This also works in advantage of the pirates, as they move in small crews but heavily armed. In the waters of Somalia and the Gulf of Aden the number of the attacks has been increasing with the collapse of the central government since 1991. Somali pirates are demanding ransoms for up to $10 million, threatening crews and warning the ship-owners that they will ground the ship if their demands are not met. Between 2006 and 2010 there were 1600 piracy acts recorded. In November 2010 a record high ransom was paid to Somali pirates; $9.5 million to release an oil tanker. At the end of 2010, 638 crew members from more than 18 countries were being held hostage by pirates. They are Somali fishermen and some are ex-military, many of them between 20–35 years old and come from the region of Puntland, in northeastern Somalia. Somalia is a country that has struggled with famine and poverty for centuries. Modern Somali pirates have small boats, and take advantage of the small number of crew members on modern cargo vessels. They do so quite successfully, unfortunately. Pirate crews are making tens of millions of dollars in ransoms every year. The less “sophisticated” pirates board a vessel and hold up the crew to steal large amounts of cash that many ships carry for payroll and port fees. The trained and experienced pirates are usually members of organized gangs that may take over the ships and hold crews for ransom. Piracy clearly affects the shipping industry, but how much does it cost us? It is very hard to calculate exact cost for piracy because it is has direct and in direct costs. These attacks do not just effect the shipper directly, the company that owns the vessels, the crew members and their families. It effects the entire industry. One has to account for several things when making an estimate; Ransom cost, Insurance cost and cost of re-routing. And these all are in some ways reflected to shipping rates that importers and exporters are paying. In reaction to the growing threat and cost of ransoms, the maritime insurance industry has responded by increasing its shipping rates and premiums, especially in designated high-risk piracy zones. Shipping insurance comes in four main types: war risk, kidnap and ransom, cargo, and hull insurance. Rerouting ships via longer but safer voyager also has its costs to the vessel operators. The most recent incident was the vessel MSC Panama, the 1,743 TEU ship and its 23 crew members were held captive for 8 monts. The vessel was seized by Somali pirates on December 10th 2010, and released August 8th of this year for a $7 million ransom. The ship was seized by five heavily armed pirates in the Indian Ocean south of Tanzania, on its way to Mozambique. The attack was relatively far to the south of the region where most attacks have occurred in the past two years, evidence of the expanding reach of the piracy that has troubled trade near the East Coast of Africa. Several ships are being held hostage at this very moment, with over 250 crew members in total.

## Protests Advantage

### Occupy Central Good

Occupy Central’s civil disobedience is a form of direct democracy which enables excluded citizens to empower themselves through dissent

**Lee 15** writes[[62]](#footnote-62)

On the night before the clearance of the historic **Occupy Central** movement, I visited the main campsite in Admiralty. What I saw were many young people, banded together in makeshift communities, brimming with hope, frustration and unity. For me, their strong sense of solidarity, purpose and togetherness sparked questions. Hong Kong's youth are on a mission - but what do they want? And what do they seek to achieve? This movement **embodies** the **pursuit of citizenship rights** as young people stake their claim to the city. Much has been said about their frustration over the lack of upward social mobility and employment opportunities. Many youngsters face such anxieties during their transition to being a full member of society. It is a natural part of growing up. However, too much uncertainty, economic precariousness and a lack of socio-economic security pave the way to civil unrest. **Citizens who feel excluded** from their rights **do not remain silent for long**. Rather, excluded groups seek to challenge inequalities by widening the distribution of resources and citizenship. In doing this, Hong Kong youth are channelling their frustrations and creating new "space" where ideal forms of citizenry manifest themselves in the open. As James Holston, an anthropology professor from the University of California, Berkeley, noted, a new form of radical, "insurgent" citizenship often arises out of an old, unequal regime. He uses the example of Brazil in the 1960s, where the working class overlooked the illegality of their actions as they built houses on unoccupied, untenured land. In this way, the poor effectively established themselves by asserting their citizen rights on housing, daily life and urban space, while transforming marginalised areas into socially organised spaces. Citizens claimed their identity and status through radical, transformative means. Similarly, at the heart of Occupy, there is an insurgent movement led by young people wanting to change from passive citizens to active participants in society. By breaking the law **with** the act of **civil disobedience**, **young citizens were "claiming" their right to expression**, to be heard by the world. Gathering in Admiralty and Causeway Bay, for example, is important symbolically. **Physically occupying Hong Kong's privileged**, important **areas is about retaking space from the corporate world and the state**. Second, the protests provided youngsters who usually communicate via social media with a physical meeting place for face-to-face communication. Against the isolation and divisions of daily life, Occupy offered participation and interaction. It invited passive young citizens to experience a sense of what an inclusive and egalitarian society might look like. In this sense, the movement was about Hong Kong youth forming alternative pathways for political organisation and communication ahead of the real democracy and active citizenry to come. It helped radicalise a whole generation of previously apathetic and discouraged youth, and built "test zones" for a post-capitalist utopia based on principles that are outside the competitive and corporate world. The movement has created an entirely new marker of Hong Kong identity. Third, the movement aimed to create space for a conversation in which all can participate and determine what the future should look like. **By constructing mini communities, youngsters** created a variety of spaces that **provided room for innovation**, experimentation **and dissent. These civil utopias foster** a form of **solidarity** and identity, **which transcend** the cultural, religious, ethnic, gender and class **divisions that Hong Kong youth face in their daily lives**. Lastly, **the Occupy movement provided young participants with** an **experience of direct democracy**, where people with different views interacted directly in a civil and responsible manner. **Demonstrators made a point of cleaning up** after collective action **to illustrate the capacity of "the people" to govern** themselves. The idea that differences should be respected is also embedded in the civil utopias created. Students respected non-students, the elderly respected youngsters and all respected the help given by volunteers. Thus, by creating a space for communication, citizens from different ideological backgrounds had the chance to experience a form of deliberative democracy. Fundamentally, the protests represented a channel for Hong Kong youths' frustrations in the hope of creating a collective identity and asserting their citizenship rights. My generation wants to be seen on the streets, and is not afraid of staking a visible claim to our right to be seen and heard. **When young people enact their rights as citizens in public spaces, they have the collective capacity to speak truth to power**. In a literal sense, it shows that citizenship is physical as much as political. The process of democratic reform must involve people transforming themselves from subjects ruled by others - which Hong Kong's people have always been - to active citizens who rule themselves. That does not involve the subjects asking for citizenship rights, for the ruler will not grant them freely. It means that the subjects start acting as citizens, demand their full rights and ownership of an inclusive society that is rightfully theirs. Hong Kong youths have reconfigured the notion of citizenship by participating in and shaping the Occupy protests. They have created for themselves an ideal notion of an inclusive, egalitarian society that they strive to live in. In the midst of the struggle for genuine universal suffrage, these changes are occurring within my generation of Hong Kong youth.

The aff’s appeals to “order” and “stability” mask injustice. Civil disobedience is necessary against unjust laws

**Ghadiri 11** writes[[63]](#footnote-63)

It is from the rule of law, though, Fortas claims, that we derive order. The rule of law means that individuals must accept rulings of the court and serve what punishment they are dealt regardless of their immorality. We risk losing any semblance of that order and the stability of the law would be undermined if we do not accept the punishments given to us. Order, he argues, is just because it allows for change by the ballot box, or by peaceful means of protest. Fortas seems to place order before justice. **Zinn argues** contrarily **that order and justice ought to be on the same footing**. Were that the case, he says, everything would be fine and no protest or civil disobedience would be necessary. It is actually **because the rule of law hides injustices,** that **civil disobedience is necessary**. The **rule of law** does not create order, but rather **pretends to keep the peace in order to perpetuate a false** social **conception of order. Individuals protest because the rule of law does preserve justice.** Thus, the rule of law should not be preserved by acquiescing to unjust punishment. It is to this point that Zinn argues that those who commit acts of civil disobedience should not be compelled to serve punishment for disobeying an immoral law. "When unjust decisions are accepted, injustice is sanctioned and perpetuated."17 **If** we do not require the rule of law for a sense of order, and **we do not wish to sanction injustice, it is best that we commit acts of civil disobedience**. If justice and order are not held in equal esteem, justice ought to be above order.

Working within the system can’t solve

**Zinn 3** writes[[64]](#footnote-64)

The modern system of **the rule of law is** something **like roulette**. Sometimes you win and sometimes you lose. No one can predict in any one instance whether the little ball will fall into the red or the black, and no one is really responsible. You win, you lose. But as in roulette, **in the end you almost always lose**. In roulette the results are fixed by the structure of the wheel, the laws of mathematical probability, and the rules of “the house.” In society, **the rich** and strong **get what they want by** the law of contract, the **rules of the market**, **and the power of** the **authorities to change the rules or violate them at will**. What is the structure of society’s roulette wheel that ensures you will, in the end, lose? It is, first of all, the **great disparities in wealth** that **give a tremendous advantage to those who can buy** and sell **industries,** buy and sell people’s labor and services, buy and sell the means of communication, **subsidize** the **education**al system, **and buy** and sell the **political candidates themselves**. Second, it is the system of “checks and balances” in which **bold new reforms** (try free medical care for all or sweeping protections of the environment) **can be buried in committee, vetoed** by one legislative chamber or by the president**, interpreted to death by the Supreme Court, or passed by Congress and unenforced by the president.**

Non-violent protest is key to democracy. The fact that power comes from the people has been omitted and downplayed by conventional understandings of history

**Zinn 3** writes[[65]](#footnote-65)

**In the U**nited **S**tates **historical education has emphasized** the **doings of the rich and powerful** – the political leaders, the industrial entrepreneurs. The classroom education of the young has often centered on the presidents. One widely used book for teachers (Push Back the Desks), spoke admiringly of a classroom where the portraits of all the presidents filled the walls and the history lessons were based on that. We often poke fun in the United States at other countries where political leaders are treated like gods, their portraits and statues everywhere. But in our culture, the most **trivial activities of** the **presidents are considered of great significance, while** the **life-and-death struggles of ordinary people are ignored**. For instance, on September 17th, 1972, the New York Times carried a front-page story about Chester A. Arthur, who became president in 1881 and whose administration was hardly noteworthy for any achievements on behalf of human freedom. The headline to the story was “President Arthur Kept Illness a Secret.” The story is about a conference of historians in Tarrytown, New York: “President Arthur’s tightly held secret (that he held a rare kidney disease), withheld not only from his time but also from history, was made known publically for the first time at the conference.” The Times story quoted one of the historians at the conference: “The factual record is substantially corrected, updated and enlarged, and our inherited assumptions about a bygone era receive a sharp jolt.” What should really give us a sharp jolt is that such a piece of trivia should become a front-page story for the nation’s major metropolitan newspaper. The National Historical Papers Commission has spent millions of dollars, given by Congress and by the Ford Foundation, to publish sixty volumes of Thomas Jefferson’s papers, sixty volumes of James Madison, seventy-five volumes of George Washington, a hundred volumes on the Adams family. There are plans for sixty-five volumes on Benjamin Franklin (plus, as the editor noted, “several volumes of addenda and errata”). One historian, Jesse Lemisch, whose own work dealt with ordinary seamen of the Revolutionary Period and who lamented the lack of historical attention to the working people of the country, referred to this project as “the papers of Great White Men.” What sorts of values and ideals are encouraged in the young people of the coming generation by the enormous emphasis on the Founding Fathers and the presidents? It seems to me that **the result is** the **creation of dependency on** powerful **political figures to solve our problems**. We were being exploited by England? Well, the Founding Fathers took care of that in leading the struggle for independence. Was the nation morally blighted by the existence of 4 million black slaves? Abraham Lincoln solved that with the Emancipation Proclamation. Did we have a terrible economic crisis in the early 1930s? Franklin Roosevelt got us out of that one. Do we face enormous problems today? Well, the solution is to find the right president, to go to the polls and choose either the Republican or Democratic candidate. **Such a view, embedded in the minds of the American public by** an **education** that focuses on elites, ignores an important part of the historical record. It **does not pay sufficient attention to** the “crowds” of the Revolutionary period, the **grass-roots organizations, rioters, demonstrators, and boycotters** who brought the Revolution to a boil. Not enough credit is given to the great Abolitionist movement of tens of thousands of black and white people, risking their lives and their freedom to demand the end of slavery. It was this movement that galvanized antislavery sentiment in the country between 1830 and 1860 and pressured Lincoln into his first actions against slavery and pushed Congress into passing the Thirteenth, Fourteenth, and Fifteenth Amendments, which made slavery and racial discrimination at last illegal (even if they still existed in different forms). The **New Deal reforms, although presided over by Roosevelt, were given** their **momentum by** the **mass movements** of that time: the Bonus March of 1932; the general strikes of 1934; the waves of strikes in the auto, rubber, and steel industries in 1936 and 1937; the organization of tenants and the unemployed; and by turmoil in the cities and the countryside. Consider how much attention is given in historical writing to military affairs—to wars and battles—and how many of our heroes and military heroes. And consider also how little attention is given to antiwar movements and to those who struggled against the idiocy of war. Everybody who goes to an American school learns about Theodore Roosevelt’s charge up San Juan Hill in the Spanish-American war. But how many learn about the Anti-Imperialist League, which criticized the nation’s actions in Cuba and the military conquest of the Philippines. **As a result of omitting, or downplaying, the importance of social movements** of the people **in** our **history**—the actions of abolitionists, labor leaders, radicals, feminists, and pacifists—**a fundamental principle of democracy is undermined:** the principle **that it is the citizenry, rather than the government, that is the ultimate source of power** and the locomotive that pulls the train of government **in the direction of equality and justice. Such histories create a passive and subordinate citizenry.**

Endorsing civil disobedience is key to combating false patriotism which confuses appreciation for fellow citizens with blind obedience to the state

**Zinn 3** writes[[66]](#footnote-66)

[Ellipses in original] It is curious that Socrates (according to Plato) was willing to disobey the authorities by preaching as he chose, by telling the young what he saw as the truth, even if that meant going against the laws of Athens. Yet, when he was sentenced to death, and by a divided jury (the vote was 281 to 220), he meekly accepted the verdict, saying he owed Athens obedience to its laws, giving that puny 56 percent majority vote an absolute right to take his life. And so it is that **the** admirable **obligation human beings feel to one’s neighbors**, one’s loved ones, even to a stranger needing water or shelter, **becomes confused with blind obedience to** that deadly artifact called **government**. And in that confusion, young men, going off to war in some part of the world they never heard of, for some cause that cannot be rationally explained, then say: “I owe it to my country.” It seems that the idea of owing, of obligation, is strongly felt by almost everyone. But what does one owe the government? Granted, the government may do useful things for its citizens: help farmers, administer old-age pensions and health benefits, regulate the use of drugs, apprehend criminals, etc. But because the government administers these programs (for which the citizens pay taxes, and for which the government officials draw salaries), does this mean that you owe the government your life? Plato is enticing us to confuse the country with the government. **The Declaration of Independence tried to make clear that the people** of the country **set up the government**, **to achieve** the aims of **equality and justice, and when a government no longer pursues those aims it** loses its legitimacy, it has violated its obligation to the citizens, and **deserves no more** respect or **obedience. We are** intimidated by the word patriotism, **afraid to be called unpatriotic**. Early in the twentieth century, the Russian-American anarchist and feminist Emma **Goldman** lectured on patriotism. She **said,** [“] **Conceit, arrogance, and egotism are** the **essentials of patriotism**...Patriotism assumes that our globe is divided into little spots, each one surrounded by an iron gate. **Those who had the fortune of being born on some particular spot, consider themselves** better, nobler, grander, more intelligence than the living beings inhabiting any other spot. **It is**, therefore, **the duty of everyone living on that** chosen **spot to fight, kill, and die** in the attempt **to impose** his **superiority upon all the others.[”]** Even the symbols of patriotism—the flag, the national anthem—become objects of worship, and those who refuse to worship are treated as heretics. When in 1989 the US Supreme Court decided that a citizen has a right to express himself or herself by burning the American flag, there was an uproar in the White House and in Congress. President Bush, almost in tears, began speaking of a Constitutional amendment to make flag burning a crime. Congress, with its customary sheepishness, rushed to pass a law providing a year in prison for anyone hurting the flag. The humorist Garrison Keillor responded to the president with some seriousness: [“]Flag-burning is a minor insult compared to George Bush’s cynical use of the flag for political advantage. Any decent law to protect the flag out to prohibit politicians from wrapping it around themselves! Flag-burning is an impulsive act by a powerless individual—but the cool pinstripe demagoguery of this powerful preppie is a real and present threat to freedom.[”] **If patriotism were defined**, **not as blind obedience to government** as submissive worship to flags and anthems, **but rather** as **love of** one’s country, **one’s fellow citizens** (all over the world)**,** as **loyalty to** the **principles of justice and democracy**, then **patriotism would require us to disobey our government, when it violated those principles.**

Suppression of Occupy Central strengthens American and Chinese capitalism. The protesters demand free elections; free elections challenge the grip business interests have on Hong Kong’s government

**Frayne 14** writes[[67]](#footnote-67)

Protests in Hong Kong began in September demanding greater democracy. But rather than simple demands for Western-style democracy, as they’ve been portrayed in the West, the strikes and protests are intertwining with social and economic demands. In 1997 Britain gave Hong Kong back to China, and since then the state capitalist regime has promised but not delivered democracy. When the Standing Committee of the National People’s Congress (NPCSC) of China proposed that nomination of candidates for Chief Executive (head of government) be vetted by at least half of a 1200-member committee representing Hong Kong business interests, protests exploded. Strikes and occupations The Hong Kong Federation of Students organized a strike that drew thousands and then occupied the central square. Police responded with tear gas but this failed to stop the protests and instead drew more people into the street and international solidarity. Spearheaded by student groups and Occupy Central (financial district), the protests grew to a broad-based, mass-movement and continued through October, becoming known as the Umbrella Movement for the umbrellas used to shield tear gas. Student and Occupy groups have played important organizing roles, and there are grassroots initiatives where people pass a microphone around in equal turns to share thoughts on the situation. After the tear gas attack the Hong Kong Confederation of Trade Unions called for a strike. As the crowds reached 200,000 people on the streets, they stuck to core demands of free elections, resignation of Chief Executive CY Leung, and resignation of the Police Chief. State and free market capitalism While Western media have described these events in vague pro-democracy language, Beijing state media hurled conspiratorial accusations of western provocation (similar to the Ukraine-Russia tensions). These simplifications distract from core issues, which are inconvenient to the elite on either side—issues of inequality and poverty amid opulence. Commentary has played down the fact that the **latest protests are** largely **a continuation of Occupy Central actions, part of the global movement focused on** economic **inequality and corporate greed**. These earlier Occupy protests drew the condemnation of global financial interests. Hong Kong branches of the big four accounting firms (PwC, Deloitte, KPMG and EY) issued a joint statement saying the city’s financial industry could be harmed; HSBC downgraded the city’s economic projections; Chambers of Commerce of Hong Kong, Italy, Canada and India also voiced their opposition; as did Hong Kong’s most prominent billionaire tycoons and property speculators. CY Leung said poor people shouldn't be allowed to vote, because "If it's entirely a numbers game—numeric representation—then obviously you'd be talking to half the people in Hong Kong (that) earn less than US$1800 a month. You would end up wotih that king of politics and policies." The complex economic relationship between **the U.S. and China** mean both sides **have mutual benefit in downplaying the protests**. Stable dictatorships have long been the preferred form of government for Anglo-imperial capitalism, and China is likely no different. When police first used tear gas on protesters, the U.S. Consulate declared they will “not take sides in the discussion of Hong Kong’s political development.” **Among the U.S. and allies, criticism of CCP** corruption and **authoritarianism has muted as trade and investment have increased**. Due to Chinese interest in Canada’s tar-sands and natural resources, this is perhaps even more the case with Harper than David Cameron or the Obama Administration. **As long as China is banker and sweatshop** for the West**, moderation and stability will be** the **watchwords directed to Beijing**. Methods to deal with Occupy Central in Hong Kong have been little different than those employed against protestors in New York or Toronto. Despite pro-democracy platitudes, politicians and corporations are too busy doing business with Beijing to genuinely care about these movements, and we should not let them claim otherwise. Anti-capitalism The **anti-capitalist antecedents of the Umbrella Movement reveal opposition to** both Chinese state **capitalism** and Western free market capitalism—both of which are undemocratic and controlled by billionaires. Anti-capitalist groups maintain support and organizing roles within the movement, and are advocating democratic reform as a first step to real change, while also emphasising that even with free elections the fight against capitalist oppression in Hong Kong would continue.  **According to Sophia Chan, an activist from** the Hong Kong **socialist organization Left 21, “**In this democratic movement, we have been trying to push the economic and labour side…As for our demands, **we see free elections as a major blow to business-government collusion and capitalist privilege, because currently half of the seats in the parliament of Hong Kong** (‘Legislative Council’) **reserved for ‘functional constituencies,** which basically mean that **certain economic sectors** (such as finance) **in Hong Kong are guaranteed a seat in the parliament**. When we fight for policies such as the minimum wage or a standard labour law, it is almost always those members of parliament who block the bill. Also, the electoral committee for the Chief Executive election as proposed by Beijing would consist of 1,200 representatives, almost all of whom belong to business sectors such as real estate, banking, etc. Beijing has explicitly declared that this is to protect the interests of capitalists. As such, although we do think that a democratic political system is only the first step to real change, we also think that that in itself would already be a huge improvement for our fight against capitalist oppression in Hong Kong. Of course, we do also try to spread the idea that even if we obtain free elections, we would still battle against tycoons and capitalists.”

Occupy Central was a response to the fact that China has not given Hong Kong the democracy it promised

**Chan 14** writes[[68]](#footnote-68)

When did the protests start and why? What was the turning point? **The protest was** actually **a result of a long battle for democracy**. **When the British handed Hong Kong** back over **to China** in 1997**, the Chinese government promised** both in the Sino-British Joint Declaration and the mini constitution of Hong Kong (the Basic Law) that **a democratic system eventually would be implemented** in Hong Kong. After decades of delay and making excuses, **in August** this year the National People’s Congress of **the PRC declared that** the **so-called democracy that Hong Kong would have is a system where Beijing** will basically **vet two to three candidates for voters to choose from**. Also, **the candidates** would **have to gain** at **more than 50 percent of nominations from a tiny electoral committee** of 1,200 people, **most of whom are representatives of business interests** in Hong Kong. The Hong Kong Federation of Students (HKFS) began organizing a student strike that started on September 22. More than 13,000 university students boycotted classes and joined the strike. On September 26, around 1,500 secondary school students also joined the strike. During the strike, university professors held public lectures in the open area outside the Hong Kong government HQ and parliament. On the last day of the strike, HKFS students and members of the public stormed past police barricades to reclaim a public area in front of the government HQ called “Civic Square,” which had been sealed off arbitrarily. The police used pepper spray and three key student leaders were arrested and illegally detained. This prompted thousands of citizens to come out and protest, demanding the release of the students. In the early hours of September 27, the civil disobedience campaign **Occupy Central** (OCLP) **was launched**. The next day, **tens of thousands** of people poured into the street and **started occupying main roads** in Admiralty and Wan Chai. The police began to use pepper spray and later, tear gas. The violence outraged people in Hong Kong and up to one hundred thousand people came out on September 29. Since then, the police have held back and the occupation has been going on, with as many as two hundred thousand people occupying four zones across the city in the peak times.

Even if the last protest site got dismantled recently, the Umbrella Movement off-shoot of Occupy Central is continuing civil disobedience

**Kuo 14** writes[[69]](#footnote-69)

**When police dismantled the last protest site of Hong Kong’s pro-democracy movement** earlier this month**, demonstrators pledged that they would be back**. Now that the city has returned to normal, **Umbrella Movement demonstrators** and their supporters **are starting to try out** some of their **new tactics**. A shopping revolution After being kicked out of their protest site in Mong Kok, demonstrators have been going on protest “shopping trips” in the popular commercial center at all hours of the day. (The phrase gauwu geming or “shopping revolution” is also a reference to Chinese tourists who admitted that they participated in a pro-government rally in Hong Kong over the summer to “go shopping.”) Unsurprisingly, the police aren’t amused. Last weekend, 14 protesters were arrested for participating in what authorities said was an illegal assembly. More “shopping” is planned for this weekend, though there is some disagreement between protesters, with accusations that the more moderate demonstrators are only there to get their Christmas shopping done. Protest caroling Just before police cleared the last protest site in Causeway Bay, a church group organized a Christmas street performance where carolers sang a rather politically charged version of “We wish you a Merry Christmas.” The protesters sang in Cantonese, “Whole world remember—elders, middle-aged, young people—[we] need to persist to get universal suffrage. All citizens decide for themselves.” After slipping into English for part of the chorus, they then urged people to participate in protest shopping. They sang, again in Cantonese, “We wish you a shopping trip. We wish you to be careful with the police. Shopping every day. It’s legal to be on pedestrian street.” Groups plan to do more protest caroling throughout the month. Tax tactics **The “Conscientious Tax Resistance Movement” has pledged to make it harder for the Hong Kong government to process taxes by asking people to give the government checks in annoyingly small amounts of HK$6.89,** $68.90 or $689. Critics of the city’s chief executive CY Leung often refer to him as “689,” a snarky reference to the number of votes he received from an election committee to win his current seat. Stamps to help those participating in the “conscientious tax resistance movement.” The stamp on the left says “I want real universal suffrage”(Facebook/taxresistancehk) (Facebook/taxresistancehk) The Hong Kong Federation of Students and **other groups** that organized the Umbrella Movement protests are **argu**ing **that “Taxpayers’ money should not be used to feed a violent government**.” Tenants in public housing have also been asked to delay paying their rent as long as possible without getting evicted. If both campaigns end up proving popular, the impact could be substantial: Hong Kong is home to 2.3 million residents of public housing and 1.74 million taxpayers.

### CCP Collapse Good

CCP rule causes extinction.

**Jin 9** writes[[70]](#footnote-70)

**Over the past 100 years,** there have been all sorts of **autocracies** which have **ruthlessly suppressed human rights.** They brought tremendous tragedy to human society, and created disaster and shame for the entire world. **They** have come to **mark the most miserable pages in human history.** To focus more closely on the factors leading up to these tragedies, we find that all of them are directly linked with conflicts and antagonism between the fundamental concepts of human values. Human society has been treading prudently between conflicts of such contrasting values as liberty and slavery, human rights and oppression, democracy and autocracy, peace and war, etc. These threats that people have had to face in the past have still not been eliminated today, nearly 20 years after the end of the Cold War. Despotism, which used to be symbolised together with anti-civilisation and anti-humanitarianism, has succeeded in concealing its hegemony seeking ambition with money, thus deceiving a contemporary world which has been tainted by material interests, and consequently breeding a new kind of evil. This world is far from becoming more secure and harmonious. Those who harm mankind, **those who create lethal weapons, and those** who stoop to the lowest debasement of human morality by **practicing terrorism - such authoritarian regimes are pervading the** civilised **world**, and international society is merely appeasing them during the change of world hierarchy. The “conflict of civilisations” horror typified by the example of September 11 is a genuine affront to our most basic human concept of "core values" by those totalitarian regimes. International society has neglected another threat which has more horrendous implications to the existence of mankind than the ostensible conflict between Islamic and non-Islamic cultures. Communist China, the colossal despotic stronghold and the ultimate base of the largest number of international terrorists, has been the biggest beneficiary from this crisis, by dividing and seizing economic dominion over the world. In the midst of the financial tsunami which is currently exacerbating the issues facing the world economy, international leadership standards of ethics and behaviour are degenerating. The fortresses of fundamental values have been hastily abandoned by developed nations. Democracies have failed to examine their own short-sightedness in hastily embracing the totalitarian China as Messiah when dealing with their critical economic dilemmas. Due to the enormous economic interests, and the surrender of the idea of liberty in the West, Western democracies are continually making strategic mistakes with disastrous long term ramifications. International society has been compromising and appeasing the Chinese Communist Government, enabling it to grasp at its last efforts for survival, almost 20 years after the collapse of the entire communist camp. In China, **the communist authority has been** doggedly **obstructing** political **reform, and** has been **crushing all** political **dissent by force.** Although the social atmosphere in China is already full of resentment and there have been isolated resistances where society has tried to defend its rights, it is very difficult to form an effective tide of democratic reform to reflect the true aspirations of the Chinese people. Therefore, Chinese people, who represent one quarter of the entire human race, still have not been able to break free from despotism and slavery. To serve their own self interests for continued autocratic rule and international expansion, **the Chinese Communist Party has long been** providing either overt or clandestine support to its North Korean ally, **making North Korea the most volatile “powder keg” which could inflict war** at any time **on**to **a** generally **peaceful** and reluctant **human race.** Because of the Chinese communist government’s diplomatic repression, the highly democratised Republic of China in Taiwan is still isolated in the international environment: the Republic of China in Taiwan is continually facing the threat of communist annexation and military intimidation, and is bulldozed by the communists in all areas, such as economy, trade, culture and international communication, even though the Republic of China in Taiwan has itself achieved progress in socio-politics, economy, culture, education, environment and ecology. After enduring under the ruling of the Chinese Communist Party for half a century, Tibet is facing the crisis of erosion of its “national identity”. The former Shangri-la, the last pure land in the world, has already been diminished to being “a living hell on earth”. Because of the policy of repression and the siege mentality of the Chinese communist authorities, the Free Tibet movement, under the leadership of His Holiness the Dalai Lama, is still a long way from their political aspiration, which is true autonomy for Tibet. The Chinese democratic movement, fuelled with the objective of bringing an end to the sole leadership of the Chinese Communist Party, in favour of democracy and constitutional politics in China, has been fighting hard towards its goal. Although the objectives of this great democratic movement are to eliminate the threat of autocracy and to promote world civilisation, it has not attracted attention and support from international leaders, and, consequently, is facing difficulties in making any progress. As long as Chinese communist despotism continues to exist, it will continue to be the cause of more human rights tragedies in the China, in Taiwan and Tibet, and will pose potential threats to peace in the Asia Pacific region. We believe that the world should become acutely aware of this alarming crisis and pay more attention to how they respond to China with regards to the long term global implications. It is impossible for China, a super-nation, to experience a systematic transition to a democratic society without the aid and participation of the broader international community. **The fate of China is more and more intertwined with the rest of the world in** this **rapid**ly developing contemporary **globalisation.** **Therefore, China’s future represents a massive influence on the future of [hu]mankind**, changing China is changing the world, **and the key** to this process **is** the promotion and awareness of the priorities of **the Chinese democratic movement.** It is essential for the Chinese democratic movement, the Free Tibet movement, democratic Taiwan and all forces of justice, liberty and democracy in the rest of the world to co-operate sincerely and effectively, to form a robust political alliance to restrain the global expansion of the Communist China. It is crucial for international society to realise that only by supporting and accelerating China’s democratisation and promoting its political reform can the situation of China be changed to improve global peace and stability. We expect that in the near future, that is, around the 100th anniversary of the Revolution of 1911, China, the land which has endured under communism, will have a democratic and federated new China. Perhaps a new historical chapter is to be initiated here. Chinese history and world history will be written by our generation. **Only if China changes** from insulation to openness, autocracy **to democracy, will the future** world **be secure and peaceful.**

CCP collapse is key to Chinese democratic transition – history proves.

**MacFarquhar 6** writes[[71]](#footnote-71)

In the Maoist era, that system was held together by an undisputed leader, a well-disciplined and relatively uncorrupt party, and a doctrine (Marxism-Leninism-Maoism) that gave the Communists the authority to impose Mao Zedong's policies. **Underpinning the whole system were the** soldiers of the **P**eople's **L**iberation **A**rmy. **But,** selflessness, and confidence were undermined by the assaults **it suffered** dur**in**g **the Cultural Revolution.** Afterward, its doctrine was effectively abandoned as part of Deng Xiaoping's reform program. As a result, **in** the 1989 **Tiananmen Square** massacre, **the party proved to be** politically **impotent** and the military had to save the day. Today, China is far richer and the party is co-opting potential opponents, but as Pei shows, **corruption is greater, contempt for legal processes is widespread, and the willingness of China's citizens to protest is increasing every day.** Nobody believes that President Hu Jintao could play the role of imperial ruler to hold the system together. **What could turn this "decaying" system in a more hopeful direction?** The **history** of China's 150-year struggle with modernity **suggests it may require a major shock to the ruling establishment. This first happened** in the war of 1894-95, **when Japan defeated China.** Although the Qing dynasty had suffered defeats to the British and the French earlier in the same century, the Japanese victory was far more traumatic because Beijing thought of its island neighbors as junior partners in the great enterprise of Chinese civilization. In victory, Japan was different. It was a European-style nation state that had proved itself superior to China. **The effect** of this defeat **was dramatic. China's leaders adopted radical reforms**, Confucianism was abandoned as the state doctrine, **and**, in 1912, **the** 2,000-year-old **imperial system was replaced by a republic.** It was the first great revolution of the 20th century.

Chinese authoritarianism spills over globally.

**Friedman 9** writes[[72]](#footnote-72)

Democracy-promoter Larry Diamond concludes in his recent book The Spirit of Democracy that **democracy is in trouble across the world because of the rise of China, an authoritarian superpower that has the economic clout to back and bail out authoritarian regimes around the globe.** “Singapore . . . could foreshadow a resilient form of capitalist-authoritarianism by China, Vietnam, and elsewhere in Asia,” which delivers “booming development, political stability, low levels of corruption, affordable housing, and a secure pension system.” Joined by ever richer and more influential petro powers leveraging the enormous wealth of Sovereign Investment Funds, “**Asia will determine the fate of democracy**,” at least in the foreseeable future. **Authoritarian China**, joined by its authoritarian friends, **is well on the way to defeating the global forces of democracy.**

Democracy is key to solve extinction.

**Diamond 95** writes[[73]](#footnote-73)

Nuclear, chemical and biological weapons continue to proliferate. The very source of life on Earth, the global ecosystem, appears increasingly endangered. Most of these new and unconventional threats to security are associated with or aggravated by the weakness or absence of democracy, with its provisions for legality, accountability, popular sovereignty and openness. The experience of this century offers important lessons. **Countries that govern** themselves **in a truly democratic fashion do not go to war with one another.** They do not aggress against their neighbors to aggrandize themselves or glorify their leaders. Democratic governments do not ethnically "cleanse" their own populations, and **they are much less likely to face ethnic insurgency. Democracies do not sponsor terrorism against one another.** **They do not build w**eapons of **m**ass **d**estruction **to use on or** to **threaten one another.** Democratic countries form more reliable, open, and enduring trading partnerships. In the long run they offer better and more stable climates for investment. **They are more environmentally responsible because they must answer to their own citizens**, who organize to protest the destruction of their environments. They are better bets to honor international treaties since they value legal obligations and because their openness makes it much more difficult to breach agreements in secret. Precisely because, within their own borders, they respect competition, civil liberties, property rights, and the rule of law, **democracies are the only reliable foundation on which** a new world order of **international security** and prosperity **can be built.**

Chinese democracy controls the internal link to US-China relations

**Ting 4** writes[[74]](#footnote-74)

In order **to have a friendly China** in that strategic region of Asia**, the U**nited **S**tates **needs** to have **a government in Beijing advocating a free society and democratic** political s**ystem. That's the** kind of **government the US wants and needs to deal with. With a democratic China** on the other side of Pacific Ocean, **America's strategy to maintain security and expand commercial interests would be greatly enhanced.** And it is not an impossible mission to ask the communist government to loosen its grip of absolute power over the Chinese people, when already Beijing's communist leaders are becoming more moderate with each generation. With the added pressure of calls from Hong Kong and Taiwan for justice and democracy, direct suffrage for all Chinese people should not be unattainable in the foreseeable future. If the current US administration could make good use of its special Taiwan leverage to coordinate a successful package of an authentic "one China" policy with a democratic and market-valued system in China, then **a unified Taiwan and China would become the best ally for the US in** terms of **protecting human rights and curbing** or halting **nuclear** weapon **prolif**eration. **A democratic China would be transformed from a strategic competitor to a friendly partner.**

### No Lashout

CCP lashout is temporary at best and won’t escalate.

**Zakaria 8** writes[[75]](#footnote-75)

So why doesn't the Chinese regime see this? Beijing has a particular problem. Now that communism is dead, **the Communist Party sees its legitimacy as linked to** its role in promoting and **defending Chinese nationalism. It is especially clumsy when it comes to such issues.** Clever technocrats though they are, China's **communist leaders**—mostly engineers—have not had to refine their political skills as they have their economic touch. In the past they **have stoked anti-Japanese and anti-American outbursts, only to panic that things were getting out of control and then reverse course.** They fear that compromising over Tibet would set a precedent for the unraveling of the Chinese nation. **China has grown and shrunk** in size over the centuries, and its dynasties have often been judged by their success in preserving the country's geography.

CCP instability doesn’t cause lashout – empirics prove.

**Newmyer 7** writes[[76]](#footnote-76)

Recent history bears out the continuing relevance of this advice in China. Under Mao and Deng, as Iain Johnston argues, the PRC proved remarkably prone to escalate against other powers. In its first half-century, **at moments of** domestic **tumult and** in periods of **calm alike - from the end of the Civil War through the failure of the Great Leap Forward and the height of the Cultural Revolution to the** relatively **tranquil** mid-19**90s** - **the PRC launched unexpected military operations against the U.S., India, the Soviet Union, Vietnam, and the Philippines.** The principal aim of each action was to secure a concrete gain or decisively defeat a foreign power. As Beijing continues to navigate domestic challenges, then, U.S. policy makers would be wise to keep in mind that **internal disorder** itself **has not disposed the PRC to peace or** triggered **aggression.** Rather, the PRC has tended to strike when a rival's guard is perceived to be down, offering an opportunity to inflict a devastating blow.

Democratic transition ensures peace better.

**Hyde 2** writes[[77]](#footnote-77)

As **for East Asia, the stakes posed by China's rapid development could not be higher. The peaceful**, prosperous, and benevolent **system the U.S. has** created and **sustained** for over half a century, **that network of uncoerced relationships** that forms the foundation for the region's embrace of the modern world and the betterment of the lives of hundreds of millions of its people, **could be torn apart by a powerful China bent on domination.** But instead of assaulting it, **a democratic China would very likely** seek to **join that system, for it represents an open door to a new world**, one which can guarantee that China's miraculous transformation will continue and allow the Chinese people to assume their rightful place among the free nations of the world.

## CCP Collapse Good (Post-NDT Updates)

### China Demo

**Chinese democracy solves global democratic peace**

**Gilley, 5** -- New School international affairs professor

[Bruce, New School University, former contributing editor at the Far Eastern Economic Review, China’s Democratic Future, 2005, 246-8, accessed 2009]

If it has not already been brought into serious question by the continued spread of democracy to every corner of the world, Samuel Huntington's thesis of **a world dominated by** a "**clash of civilizations**" rent between a liberal and progressive West and a conservative and benighted "other" **should be given a final burial by China's embrace of democracy**. **It will confirm** that **the real** **clash** in our world **remains** a clash of **just versus unjust political conceptions**, between dictatorship and democracy or minimal democracy and full democracy, **not between** some **imagined, essentialized**, and monoistic "**cultures**." **The very terms "East" and "West" will finally be exposed as so bereft of** any cultural or **social meaning as to be virtually useless in our modern world** except as geographic shorthand. Still, if democracy is merely the most efficient and fair mechanism for organizing a polity—any polity—then its meaning will continue to change as each finds new ways to improve that mechanism. While "history" as defined by the monumental struggle between the notion of the political equality of individuals and rival conceptions appears to have ended, it will go on being spun out in competing conceptions of democracy. Debates about issues like compulsory voting, fair electoral systems, money in politics, judicial review, and the like will be the dominant "historical" issues of our time. As an ongoing experiment in best-practice politics, democracy is sure to be influenced by its practice in **China**, which will come to the game with a **rich tradition of indigenous innovation and,** arguably, **deeper** cultural **roots in** the **essential principles** of democracy **such as tolerance, compromise, and egalitarianism. How will democracy change as a result? There has been much** recent **discussion** in the West **of a "democratic malaise" where the** associational and **norms**-oriented life **of** a **democracy is breaking down**. Many **scholars see the democratic waves of the past as having ended and the old democracies in a state of slow regression.** Some countries are thought to be stuck in minimal democracies of dispersed power but not true equality. To some, **the value of political power is unequal, some freedoms more cared for than others, and economic justice unachieved**. If modern-day social contractarians are right, **a failure to achieve these things make a democracy's claim to goodness very thin indeed. It is here** that **China's democratization may play a vital role**. Most Chinese scholars harbor the hope that **China will "surpass" traditional forms of democracy** as **practiced in the rest of the world**—**especially the imagined "Western model"—and introduce to the world a new system that will be "even better."'** This is the so-called "surpass sentiment" (chaoyue qlngxu) mentioned earlier. Of course, there is not a little bit of cultural chauvinism at work here, the desire for China to retake its rightful place as the dispenser of civilization to the world's benighted peoples, especially the stubbornly dynamic West. Even so, **we should not rule out, nor rue, the possibility** that **China will pioneer a unique version of democracy**. As one Western scholar notes: "**It remains** **possible** that some day the Asian, perhaps even **the Chinese, vision of the best form of government will become the dominant vision."**' **If so, it would be a cause for celebration because everyone benefits when a more just system is available**. **Many Chinese scholars conjure up a new form of political order that is both strongly democratic and strongly social-oriented**. One talks of **the emergence of** a "**creative ambiguity**," in China which defies easy labels, **in which a "mixed economy**" with a state sector **will exist alongside "mixed politics" with elements of both liberal** democracy **and social democracy**.4 Others seem to echo classical republican political theorists of the West with dreams of "deliberative democracy" (shangyi minzhu)l or "policy democracy" (zhengce minzhu) in which people's considered views on issues actually translate into outcomes .6 Here, **elections lose their** pride of **place as the hallmark of democracy, being replaced by other mechanisms for contesting state power and proposing interests and views of the good**. **One Chinese scholar anticipates a vast laboratory of democratic experimentation which, given the sheer size of the country, would create a whole new lexicon of democratic forms and theories**: "There are actual opportunities for transcending historically known systems and they might be seized by a conscious people."7 There is much here that meshes with recent thinking on democracy in the West, which stresses issues like social capital, popular deliberation, equality of political opportunity, and more. In other words, **the ongoing struggle to move from mere formal democracy to** a **substantive democracy of equal citizens will be helped by China. Its efforts** at "real democracy**" may inspire and push established democracies to "deepen" their** own **democratic experiences**. One Indian author has said that "the future of Western political theory will be decided outside the West," noting, rightly, that India would loom large in that experience.' One could not but add China. Indeed, **given that it was never imprinted with colonialism and given its long isolation from Western theory, China's impact may be much greater.** Notes one scholar: "The final destination of the search remains veiled, **but China's preoccupation with local innovation and adaptation certainly goes beyond** mere **rhetoric.**"9 **Even without** any **major innovations** in the practice of democracy emanating from China, **the mere adoption of this long-evolving and never-perfected system by the largest country in the world** and one of its most ancient **will have a profound effect**

**on deepening democracy. Just as the fall of the Berlin Wall reinstated** some **confidence in liberal regimes**, and **just as the collapse of authoritarian regimes in Asia** has **undermined** **advocates of soft authoritarianism** there, so too **China's democracy may shore up** the loss of interest in the West about **democracy**. To return to a quotation cited earlier, **China's democratization will** probably **transform global politics at every level. It will mean** that **roughly three quarters of the world's population lives in democratic states, creating "an historic opportunity to bring a truly democratic world into being**," notes one scholar."' **Relations among the world's peoples could for the first time be governed according to the same norms that apply to their domestic polities**. **Much of this had** already **begun** in the post-cold war era **as new democracies in Africa, Asia, Eastern Europe, and Latin America forged alliances grounded in these norms. With China aligned with that global movement, the possibilities for positive change will be immense.**

**Democratic Transition**

**CCP cred blocks democratic transition**

**Lui, 8** -- UC Santa Barbara Chinese political culture professor

[Alan P., University of California Santa Barbara political science professor emeritus specializing in contemporary Chinese political culture and development, China Review International,” 3-22-8, China’s Democratic Future: How It Will Happen and Where It Will Lead,” l/n, accessed 2009]

At the same time, **Chinese society has been undergoing rapid changes because of increasing exposure to the West. New ideas about justice,** individualism, **democracy, and** a feel for **community have spread far and wide** in the country. **More and more Chinese have gone abroad** as tourists, **and** they **know how ridiculous the CCP** system **is. An increasing number of** urban **people are organizing** into **civil society**-type **groups**, with the help of the media. **These constitute facilitating conditions for** a **mass movement for democracy**. **A major crisis** of any kind **would galvanize these** new **forces and confront the CCP,** in the styles of the People Power in the Philippines in 1986 or the Velvet Revolution in Eastern Europe in 1989. According to Gilley, **when the moment comes for democracy, an insider—maybe a closet reformer** in the CCP—**would come forth** to take the lead. **This is the Russian path; someone like Gorbachev** or Yeltsin **would guide the Chinese push toward democracy**. **Gilley** called this the “extrication” model. He **is banking on the** People’s Liberation Army’s (**PLA) not wanting to repeat its bloody deeds in** 19**89**; **the PLA** had **learned the lesson** (so Gilley believes). Then **an interim regime will follow to open up the political system, hold elections**, enact new legislation to **establish rule of law, keep the bureaucracy together, and plan rationally for democratization.** Finally, **the new government would consolidate democracy** by writing a new constitution, carrying out a national election based on proportionate representation, organizing a federalist political system, installing a government structure resembling Sun Yat-sen’s five branches (adding “special Chinese” departments of anticorruption and civil service examination to the usual legislative-judiciary-executive model).

[Matt note: Gilley = Bruce Gilley, New School University international affairs professor]

**Labor Scenario**

**A labor-led, united transition founded in social justice is underway now- only the plan derails it**

**Chen, 14** – In These Times contributing editor

[Michelle, CultureStrike associate editor, co-producer of “Asia Pacific Forum” on Pacifica's WBAI and Dissent Magazine's “Belabored” podcast, "Could China’s Labor Unrest Spark Another Tiananmen Moment?" The Nation, 6-9-14, www.thenation.com/blog/180161/could-chinas-labor-unrest-spark-another-tiananmen-moment#, accessed 9-28-14]

The thing is, the majority will make itself heard regardless. And **China’s working class hasn’t disappeared since Tiananmen**’s bloodbath; **it is diversifying and** in some sectors, **getting angrier**. According to data from the Hong Kong–based NGO China Labour Bulletin, **there have been more than 700 labor**-related **uprisings in the past year**, and since 2011, more than 1,500 protests, strikes and other “mass incidents” have ensued, ranging from clashes with management over back wages to road blockages to taxi worker strikes. There are no official independent unions (just a massive state-sponsored All China Confederation of Trade Unions), but **workers are growing increasingly savvy at manipulating tech**nology **to spread their message** and extract concessions from management. When their store was slated for closure, aggrieved workers at a Walmart in the Hunan city of Changde blockaded the store and demanded negotiations over severance pay for employees fearing sudden layoffs. Led by a maverick local leader of the usually conciliatory state-run union, workers recently rebuffed the retail giant’s settlement offer, demanding extra payment to compensate for “breach of contract.” Labor unrest is also emerging among the migrant workforce—a more diffuse wave of activism driven by some of the most exploited workers, often in precarious industries, who are typically isolated from both their rural home communities and from the urban societies where they work. Guangdong, a hub of foreign investment and migrant labor, has percolated with labor militancy at multinational firms. In April, for example, an historic strike involving some 40,000 workers exploded at a Taiwanese-owned Yue Yuen shoe factory, shaking up the supply chains of Adidas and Nike. But **the state** is also adapting to these new currents of strife. Just as the regime’s neoliberal reforms effectively bought the silence of the intelligentsia with consumptive prosperity, it now **seeks to contain (and** ultimately **neutralize) workers’ unrest through formal civil legal channels**. For material disputes over, for example, wage arrears, the state encourages workers and advocates to take to the courts rather than the streets. The logic of the gradualist, legalistic approach to labor empowerment is appealing. Han Dongfang, a worker who protested at Tiananmen and now heads China Labour Bulletin, argued in New Left Review in 2005: Will you put your trust in gathering tens of thousands of people onto the streets, or in seeking legal help from a lawyer? Most Chinese people believe in the former rather than the latter.… This is what we are trying to do—to solve existing social problems through existing legal systems. In a sense, you could call it a cultural project: encouraging people to trust in peaceful negotiations. That kind of confidence is needed for a healthier development of the country in the future. However, China scholars Eli Friedman and Ching Kwan Lee have observed that unrest has actually increased during periods of legal reform. Despite more formal rights, workers remain constrained by anemic enforcement, unresponsive leadership from the management-friendly official union and, generally, labor violations on such an epidemic scale that the fundamental problems can’t be resolved on an individual basis: The rise of rights consciousness is outgrowing institutional capacity to meet or contain workers’ demands. Workers have more rights on paper—and are more aware of them—than ever before. But in reality they have little leverage in their places of employment, and the protection that their interests receive from the courts and the government is uneven at best. Not surprisingly, worker protests do not look as if they will disappear from Chinese life anytime soon. But they may yet spread in another direction: **as consciousness of labor rights solidifies, higher-ranked workers and even managers have** sometimes **taken the lead in workplace uprisings, with labor demands that galvanize unrest in the lower ranks**. **The** moments of **convergence between upper- and lower-tier employees** faintly **echoes the** brief cross-sector **solidarity that protesters displayed at Tiananmen.** If a conception of legal justice can form the basis for a new class consciousess, **it could seed the germ of a collective social movement.** **But only if workers believe that existing institutions are doing more to derail change than to shepherd it**. Under the current political climate—fueled by repression, nationalist fervor and economic boom times—activists face daunting obstacles to building a mass consciousness amid a systematically depoliticized, individualistic social landscape. Still, the social order is hardly seamless. Protests regularly erupt—in factories, in communities enraged by local pollution, or among farmers resisting land grabs. But such localized unrest hasn’t been fully harnessed into a wider political consciousness. Or **will the next political spark emerge from a more organic sense of social justice? The massive Yue Yuen uprising, after all, began with a straightforward protest about unpaid** social insurance **pensions**: a recent retiree reportedly complained that her payments fell short of what she was entitled to after years spent working her way up to management; she joined the plant in her twenties in 1989. The strike capped a narrative about twenty-five years in the making. Maybe today, a quarter-century on, **Tiananmen’s** unredeemed **legacy is coming due** as well.

**Turns Lashout**

**Autocracy makes lashout inevitable- try or die**

**Friedman, 2k** -- University of Wisconsin-Madison Political Science chair

(Edward, University of Wisconsin-Madison Hawkins Chair of Political Science and professor, former China specialist on the U.S. House of Representatives Committee on Foreign Affairs, “Preventing War Between China and Japan,” in What if China Doesn’t Democratize?, ed. By Friedman and McCormick, 2000, 111)

Yet many American analysts treat Chinese words of pure defensiveness as gospel. **It**, however, **was** not Lee Teng-hui's alleged provocativeness, but **changes in China,** including a growing anti-Japanese nationalism **that sparked Beijing's military action against Taiwan in** Summer 19**95** **and** 19**96**. **Unless there are changes in Chinese politics, more military action should be expected from Beijing if Taiwan does not capitulate**.36 **This threat to the peace is real and new**. There was no Chinese irredentism toward Taiwan from the Mao camp before the 1943 Cairo Conference, when Nationalist Party leader Chiang Kai-shek persuaded the Allies arrayed against Showa-era Japanese military expansionism to agree to give Taiwan to Chiang's Republic of China after imperial Japan's armies, which had first occupied Taiwan in the Meiji era, were defeated. It is not surprising that Taiwan had not been part of Mao's nationalism, since during the many millennia of Chinese history, Taiwan had never been a province of China until the expansionist imperialism of the Manchu Empire, and then, for just one decade. (Mongolia is unique in having regained its independence after the fall of Manchu imperialism in 1911.) When Chiang's forces fled from Mao's conquering army to safety on Taiwan in 1949, Mao treated Taiwan mainly as a home to a defeated civil war military force that wrongly sat in Beijing's rightful seat in international bodies. Mao saw no need for a war over Taiwan in his lifetime. For the post-Mao generation out to build up China, Taiwan might be seen as a partner in a common project. After all, Taiwan is a major source of foreign exchange helping to speed China's economic growth, a partner in trade, a well-spring of foreign investment, a part of a huge tourist influx. There was no cross-straits civil war. Millions of people from the mainland of China and the island of Taiwan went back and forth peacefully. It is possible to imagine European Common Market—style mutual benefit. Indeed **were China to democratize** and federalize or confederate, **it would swiftly become irresistibly attractive to Taiwanese**. **It is dictatorship in China which perpetuates war-prone division.**

**2NC Regional Cooperation**

**Chinese pollution causes surrounding states to backlash—destroys regional cooperation – causes senkakdu war**

**Nankivell 6**—Nathan Nankivell, Senior Researcher at the Office of the Special Advisor Policy, Maritime Forces Pacific Headquarters, Canadian Department of National Defence [1/11/2006, “China's Pollution and the Threat to Domestic and Regional Stability,” ZMag, http://www.zmag.org/znet/viewArticle/4632]

**Nationalists in surrounding states could use pollution as a rallying point to muster support for anti-Chinese causes**. For example, **attacks on China's environmental management for its impact on surrounding states like Japan, could be used to argue against further investment in the country or be highlighted during territorial disputes in the East China Sea to agitate anti-Chinese sentiment**. While **nationalism** does not imply conflict, it **could reduce patterns of cooperation in the region and hopes for balanced and effective multilateral institutions and dialogues.** Finally, China's seemingly insatiable appetite for timber and other resources, such as fish, are fuelling illegal exports from nations like Myanmar and Indonesia. As these states continue to deplete key resources, they too will face problems in the years to come and hence the impact on third nations must be considered.

**Environment IL**

**Democratization is key to save the environment**

**Zhang et al. 14** (Dongyong Zhang 1,2, Junjuan Liu 1 and Bingjun Li 1,\* College of Information and Management Science, Henan Agricultural University, Center for International Earth Science Information Network, The Earth Institute, Columbia University, Tackling Air Pollution in China—What do We Learn from the Great Smog of 1950s in LONDON http://www.mdpi.com/2071-1050/6/8/5322/htm#sthash.wA3LOoHc.dpuf)

**Environmental degradation is the result of the single-minded pursuit of economic strength without democratic accountability** [29]. The **development of Taiwan’s environmentalism is closely synchronized with successive stages in transition to democracy**, **and environmental protests** in Taiwan in the 1980s over pollution caused by the island’s industrialization improved people’s sense of political efficacy and pushed Chiang Ching-Kuo to lift martial law in 1987, which ushered in Taiwan’s process of democratization [30]. Although it is bold to say mainland China will follow Taiwan’s step and the social unrest caused by mainland China’s pollution could bring about democracy, **it is evident that high profile protests against various polluting industries and the recent shocking air quality in mainland Chinese cities have helped place the environment at the center stage in Chinese politics**. Chinese official media used to describe the country’s pollution problem as a necessary but temporary consequence of its economic transformation, but the heavy smog in early 2013 has made poisonous air the become lead item in the prime-time news, broadcast continuously by the state broadcaster China Central Television. The report was not just extensive, but also critical.

Why the change of tone? “**Leaders are aware that people can wait 20 years or more for democracy but they cannot wait that long for clean air**,” says the editor of China Dialogue, which covers environmental issues in China [31]. **Companies in China often ignore the environmental laws because of loose enforcement, weak penalties and a prevailing attitude of “I have money hence I can do anything”.** However, **several successful public protests in recent years against polluting projects give China the hope of achieving democracy through environmental issues**. The new Environment Protection Law proposed the mechanism of transparency promotion, which includes requiring companies to monitor and report real-time pollution data, clearly specifying criminal penalties for those who evade such monitoring systems or forge monitoring data [32]. In addition, **the new law forbids improperly operating pollution prevention equipment and holds government agencies responsible for disseminating information publicly** [33]. The new Law also moves close to democracy by permitting civil society organizations to initiate public interest lawsuits on behalf of citizens.

**2NC Impact – Inner Mongoloia**

**Chinese environmental crisis will cause inner Mongolian collapse**

**Chunshan, 6/13/2011** (Mu – Beijing-based journalist, Why Inner Mongolia Matter, The Diplomat, p. http://thediplomat.com/china-power/why-inner-mongolia-matters/)

**Inner Mongolia** certainly **hasn’t been a peaceful place recently, due** mainly **to unrest prompted by** the conflict there between economic and **environmental interests,** specifically the coal mining activities of the Han Chinese and the farmlands that the Mongolians depend on for a living. Last month, a Mongolian herder was killed, apparently for refusing to let coal trucks pass through the grasslands out of concern for the noise and pollution being caused. Following the herder’s death, protests involving hundreds of people erupted in the north-eastern region of Inner Mongolia. Among those protesting were students, who staged a sit-down protest against the government and demanded severe punishment for the ‘murderer.’ (The trucker was convicted and sentenced to death last week). At a press conference held by local authorities, officials promised to promptly and strictly deal with the matter, but this wasn’t enough to quell growing anger. A text message urging a mass protest on May 30 began to circulate widely, and anxious local authorities dispatched a large number of military police to Hohhot and Xilin Gol; university students were even briefly stopped from attending school. Inner Mongolia Communist Party Secretary Hu Chunhua, who is widely seen as a key member of the party’s sixth generation leadership, personally met the students, calling for calm and restraint. He also said that the government would properly handle the challenge of encouraging economic development while ensuring the environment is protected. But a criminal case that should have been simple to resolve has become complicated due to a number of factors – ethnicity, economics and social tensions. **Of China’s five autonomous regions**, economic growth has been strongest in Inner Mongolia, with few protests and relative ethnic and social harmony. Yet in some ways, this **harmony has been superficial, and the incident involving the death of the herder highlights one of the big problems facing the region, namely how high GDP growth has come at the expense of many farmers’ livelihoods, adversely affecting the environment** in the process. Against this backdrop, senior communist party officials held a meeting to discuss measures to strengthen and rejuvenate public administration. The media interpreted the meetings as the Chinese Communist Party finally acknowledging some of the defects of China’s economic growth model, and the serious social problems it can create. **Many** Chinese **scholars are concerned that those hoping to see China destabilized will see this incident as a new opening**. China should therefore remain vigilant over the possibility that the **unrest in Inner Mongolia will be exploited by those seeking independence in Tibet, Xinjiang, Taiwan and elsewhere. If these** current **tensions** really **are exploited, it could spark major social unrest around China**.

**Breakup causes nuclear war**

**Economist, 3/18/1995** (A long, hard road, p. Lexis-Nexis)

**Fragmentation** along military lines **might produce** responsible generals in some areas and **warlords** in others. **The weapons factories and nuclear arsenals** deep in the western provinces **would be disputed prizes. Any** sort of **break-up would increase the chances of local conflicts along volatile borders, particularly** in places with rich energy reserves -- for example, **off the South China coast, where China is** one of six countries **claiming ownership of the Spratly Islands** and the oil-fields that may surround them; in the north-east, where China's main onshore oil fields are located **and where Russia is at its most unruly**; and the Tarim basin of Xinjiang, which has a Muslim minority and Muslim neighbours.

**2NC Impact – Water**

**Pollution will cause 750 thousand deaths annually, and collapses water supply.**

**Economy 13** (Elizabeth, The Diplomat, “China’s Water Pollution Crisis”, http://thediplomat.com/2013/01/forget-air-pollution-chinas-has-a-water-problem/)

In recent weeks, **Chinese and western media have been all atwitter over** **the shocking levels of air pollution in Beijing and a number of other Chinese cities**. But it really shouldn’t be all that shocking. After all, in 2007, the World Bank and China’s own State Environmental Protection Administration (now the Ministry of Environmental Protection) found that that **as many as 750,000 people die prematurely in China annually from respiratory disease related to air pollution**. And more recently, Greenpeace Beijing reported that in 2011 in four major cities, more than 8,000 people died prematurely as a result of just one pollutant, PM 2.5. Anyone who spends any time in Beijing knows that the city has not yet found a way to tackle the myriad sources of air pollution from construction to cars to coal.

**As frightening as the country’s smog-filled skies** might be, **the country’s water pollution is easily as alarming**. According to one 2012 report, “**up to 40 percent of China’s rivers were seriously polluted**” and “**20 percent were so polluted their water quality was rated too toxic even to come into contact with**.” Part of the explanation may rest in the “estimated **10,000 petrochemical plants along the Yangtze and 4000 along the Yellow Rivers**.” (And the Yellow and Yangtze are not even the most polluted of China’s seven major rivers.) **On top of whatever polluted wastewater might be leaching or simply dumped into China’s rivers from these factories**, the Ministry of Supervision reports that there are almost **1,700 water pollution accidents annually.** The total cost in terms of human life: **60,000 premature deaths annually**.

While the macro picture is concerning, even more worrying is that individual Chinese don’t know whether their water is safe to drink or not. A Chinese newspaper, the Southern Weekly, recently featured an interview with a married couple, both of whom are water experts in Beijing (available in English here). They stated that they hadn’t drunk from the tap in twenty years, and have watched the **water quality deteriorate significantly over just the past few years**, **even while state officials claim that more than 80 percent of water leaving treatmen**t facilities met government standards in 2011.

**That causes China to build dams --- sparks Indo/Pak war**

**Brennan**, September **2008** (James – Lieutenant in the U.S. Navy, The China-India-Pakistan Water Crisis: Prospects for Interstate Conflict, p. http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA488648)

This thesis examines how China’s growing water requirements may affect Beijing’s relations with South Asia. **China’s shrinking water resources may lead Beijing to build dams** and take other actions **on the Tibetan Plateau** in order to address this growing concern.1 The Tibetan Plateau serves as an untapped resource for China and is the origin of many neighboring countries essential water supplies. More specifically, **the Tibetan Plateau is the origin of India and Pakistan’s great rivers** – the Indus, Ganges, and Brahmaputra. The decision to focus on the Tibetan Plateau as a solution to China’s water crisis will likely will affect the Brahmaputra River, essential to India. Additionally, although less likely due to geographical challenges, **Beijing’s decision to dam Tibetan rivers could** also **impact the Indus and Ganges River, essential to India and Pakistan. The ongoing tension between India and Pakistan over critical water resources in** the **Kashmir** region **sets the stage for increased regional tension if Beijing moves forward** with its proposed plans. **The consequences of such actions could include a degradation of** recently improved **relations** among these countries, **and** even to **armed conflict**.

**Extinction**

**The New Scientist, 10/3/2007** (Regional Nuclear War Could Trigger Mass Starvation, p. http://www.newscientist.com/article/dn12728-regional-nuclear-war-could-trigger-mass-starvation.html)

A nuclear war between India and Pakistan could cause **one billion people to starve** to death around the world, and hundreds of millions more to die from disease and conflicts over food. That is the horrifying scenario being presented in London today by a US medical expert, Ira Helfand. A conference at the Royal Society of Medicine will also hear new evidence of the severe damage that such a war could inflict on the ozone layer. "A limited nuclear war taking place far away poses a threat that should concern **everyone on the planet**," Helfand told New Scientist. This was not scare mongering, he adds: "It is appropriate, given the data, to be frightened." Helfand is an emergency-room doctor in Northampton, Massachusetts, US, and a co-founder of the US anti-nuclear group, Physicians for Social Responsibility. In his study he attempted to map out the global consequences of India and Pakistan exploding 100 Hiroshima-sized nuclear warheads. Global hoarding Earlier studies have suggested that such a conflict would throw five million tonnes of black soot into the atmosphere, triggering a reduction of 1.25°C in the average temperature at the earth's surface for several years. As a result, the annual growing season in the world's most important grain-producing areas would shrink by between 10 and 20 days. Helfand points out that the world is ill-prepared to cope with such a disaster. "Global grain stocks stand at 49 days, lower than at any point in the past five decades," he says. "These stocks would not provide any significant reserve in the event of a sharp decline in production. We would see hoarding on a global scale." Countries which import more than half of their grain, such as Malaysia, South Korea and Taiwan, would be particularly vulnerable, Helfand argues. So, too, would 150 million people in north Africa, which imports 45% of its food. Many of the 800 million around the world who are already officially malnourished would also suffer. Large-scale impacts on food supplies from global cooling are credible because they have happened before, Helfand says. The eruption of the Indonesian volcano Tambora in 1815 produced the "year without a summer" in 1816, causing one of the worst famines of the 19th century. Mass starvation The global death toll from a nuclear war in Asia "could exceed one billion from starvation alone", Helfand concludes. Food shortages could also trigger epidemics of cholera, typhus and other diseases, as well as armed conflicts, which together could kill "hundreds of millions". Another study being unveiled at today's conference suggests that the smoke unleashed by 100, small, 15 kiloton nuclear warheads could **destroy 30-40%** of the world's ozone layer. This would kill off some food crops, according to the study's author, Brian Toon, an atmospheric scientist from the University of Colorado in Boulder, US. The smoke would warm the stratosphere by up to 50°C, **accelerating the natural reactions that attack ozone**, he says. "No-one has ever thought about this before," he adds, "I think there is a potential for mass starvation." Such dire predictions are not dismissed by nuclear experts, though they stress the large uncertainties involved. The fallout from a nuclear war between India and Pakistan "would be far more devastating for other countries than generally appreciated," says John Pike, director of the US think tank, globalsecurity.org. "Local events can have global consequences." Dan Plesch from the University of London's School of Oriental and African Studies, agrees that **everyone is at risk from a limited nuclear war**. "We live in a state of denial that our fate can be determined by decisions in Islamabad and New Delhi as much as in Washington and Moscow," he says.

**Unsus 1NC**

**CCP collapse is inevitable, attempting to save it in the short term will lead to an inevitable long term *economic* collapse.**

--outsider knowledge is assumed to be true but fails to understand iner party workings

--institutional and systemetic defects

--power struggle leading to war thesis is wrong, it’s more likely to cause factionalism but that means that party survival is impossible.

--corruption causes predatory behavior and leads to economic collapse, and hurts environmental protection

**Pei 12** (Minxin, Tom and Margot Pritzker ’72 Professor of Government and director of the Keck Center for International and Strategic Studies at Claremont McKenna College., “is ccp rule fragile or resilient?” Journal of Democracy, Volume 23, Number 1, January 2012, pp. 27-41 (Article) DOI: 10.1353/jod.2012.0008)

**There is a sharp and intriguing discrepancy between how strong autocracies seem to outsiders** **and how insecure the rulers themselves feel**. **Autocrats are constantly on guard** **against forces that pose even the slightest threat to their rule**, **expending tremendous resources and taking excessively harsh and repressive measures in the process**. But **if authoritarian regimes really were so strong,** **then such costly measures motivated by insecurity would be self-defeating and counterproductive**: They would be unnecessary and, by wasting a regime’s scarce resources, would undermine its long-term survival. So why is there this discrepancy? The answer is quite simple: **The authoritarian strength that outsiders perceive is merely an illusion.** **Insiders**—the authoritarians themselves—**possess information about the regime’s weaknesses that outsiders know little about**. These weaknesses make authoritarians feel insecure and prompt them to act accordingly.

**The resilience of China’s authoritarian regime may be a temporary phenomenon**, **fated to succumb eventually to autocracy’s institutional and systemic defects.** **These defects are inherent features of autocratic systems and therefore uncorrectable**. Thus **the measures that the CCP has taken since the early 1990s to strengthen its rule** (regardless of how effective they may have been) **merely serve to offset somewhat the deleterious effects that these flaws have on regime survival. In the long run**, **China’s authoritarian regime is likely to lose its resilience.**

Ironically, **an authoritarian regime’s short-term success can imperil its long-term survival and effectiveness**. Success, defined in terms of suppressing political opposition and defending a **political monopoly**, **makes it more likely that** **authoritarians**, **unrestrained by political opposition**, free media, **and the rule of law**, **will engage in looting and theft**, **inevitably weakening the regime’s capacity for survival**.

**Authoritarian regimes tend to breed corruption** for a variety of reasons. A principal cause is the **relatively short time horizon of autocrats**, **whose hold on power is tenuous, uncertain, and insecure**. **Even where the rules of succession and promotion have improved**, as they have in China, **such improvement is only relative to the previous state of affairs**. **Succession at the top remains opaque and unpredictable in China**. **Although** the top leadership has managed to reach compromises through **bargaining**, thereby **avoiding destabilizing power struggles**, **succession politics continues to be mired in intrigue and factionalism**. In the case of promotion, the only objective rule appears to be an age requirement; all the other factors that are supposedly merit-based can be gamed. The fact that many officials resort to bribery to gain promotions indicates that personal favoritism continues to play an important role in internal Party promotions.21

**All this renders uncertain the political future** of members of the CCP hierarchy **and thus encourages predatory behavior**. There is evidence that **corruption has worsened in China** in recent years despite periodic anticorruption campaigns launched by the CCP.22 More important, **because of the deep and extensive involvement of the Chinese party-state in the economy**, **the combination of motives** (driven by **uncertainty**) **and** **opportunity** (access to economic rents) **can create** an ideal environment for regime insiders to engage in **collusion**, looting, and theft.

**Corruption endangers the long-term survival of authoritarian regimes in several ways**. It **can hinder economic growth**, thus **reducing the regime’s political legitimacy and capacity to underwrite a costly patronage system and maintain its repressive apparatus**. Corruption also **contributes to rising inequality by benefiting a small number of wellconnected elites at the expense of public welfare**, thus further fueling antiregime sentiments and social tensions. Corruption **creates a highrisk environment**, **making it difficult to enforce regulations governing** the workplace, **food and drugs**, traffic, and **environmental safety**, thereby **increasing the risks of accidents and disasters and the likelihood of mismanaged government responses to them.23**

**Senkaku Defense**

**no military capability and no escalation**

**Park 12** International Affairs Review Sungtae Park is a M.A. Security Policy Studies student at the George Washington University’s Elliott School of International Affairs. He has also written articles for CSIS (Center for Strategic and International Studies) and Brandeis International Journal.http://www.iar-gwu.org/node/434

**There are** also **logistical reasons why a war over the Senkaku/Diaoyu Islands is unlikely.** It is generally believed that **neither China nor Japan at the moment has the military capability to wage a full-scale conventional war against the other. If China and Japan were to fight a war, the initial fighting would take place on water. The Chinese navy is mainly oriented towards coastal defense and does not have effective naval capabilities to project its power beyond the so-called “first island chain.”**  The Senkaku/Diaoyu Islands are part of the first island chain, but **the Chinese military would have to stretch its naval capability to the limit in order to fight a war at that point. Even China’s on-going naval modernization is primarily for defensive purposes. The Japanese navy,** on the other hand, does have some capability to project its power, but it **is very limited.**

**The Japanese military also does not have adequate ground forces to conduct fighting on the Chinese mainland. Even if violence breaks out, such a conflict would be very limited in scope and is highly unlikely that it would turn into a general war or escalate to a nuclear conflict.**  A more uncertain factor that must be considered is that **the security treaty between the U**nited **S**tates **and Japan** extends to the Senkaku/Diaoyu Islands. The treaty makes it possible for the United States to become involved in a military conflict. So far, Washington has taken a neutral stance between China and Japan . **The U**nited **S**tates **is opposed to any violent solution and shares concerns**, particularly economic, **with** both **China and Japan about the consequences of a general war.** Any major conflict between China and Japan would kill the prospects of global economic recovery. Furthermore, because any conflict between China and Japan would be limited at best, **any U.S. involvement due to its security obligation would most likely be limited as well.** In examining the potential for the use of military force, one must consider both intent and capability. **Neither China nor Japan has the intent or the capability to fight a war over** the **Senkaku**/Diaoyu Islands. **While** the **rhetoric** between the two countries **may be fierce, it remains subject to reality**.

**Peaceful Transition**

**PLA will never allow lashout**

**Gilley, 5** -- New School international affairs professor

[Bruce, New School University, former contributing editor at the Far Eastern Economic Review, China’s Democratic Future, 2005, 114]

More ominous as a piece of "last ditchism" would be an attack on Taiwan. U.S. officials and many overseas democrats believe that there is a significant chance of an attack on Taiwan if the CCP is embattled at home. Indeed, China's strategic journals make frequent reference to this contingency: "The need for military preparations against Taiwan is all the more pressing in light of China's growing social tensions and unstable factors which some people, including the U.S. might take advantage of under the flag of 'humanism' to paralyze the Chinese government," one wrote. Such a move would allow the government to impose martial law on the country as part of war preparations, making the crushing of protest easier. It would also offer the possibility, if successful, of CCP survival through enhanced nationalist legitimacy. Yet **the risks, even to a dying regime, may be too high**. **An unprovoked attack on Taiwan would almost certainly bring the U.S. and its allies to the island's rescue**. **Those forces would not stop at Taiwan but might march on Beijing and oust the CCP**, **or attempt to do so through stiff sanctions,** calling it a threat to regional and world peace. **Such an attack might also face the opposition of the peoples of Fujian, who would be expected to** provide logistical support and possibly **bear the worst burdens of war. They, like much of coastal China, look to Taiwan for investment and culture and have a close affinity with the island**. As a result, **there are doubts about whether such a plan could be put into action**. **A failed war would prompt a Taiwan declaration** **of independence and a further backlash against the CCP** at home, just as the May Fourth students of 1919 berated the Republican government for weakness in the face of foreign powers. **Failed wars brought down authoritarian regimes in Greece and Portugal** in 1974 **and** in **Argentina** in 1983. **Even if CCP leaders wanted war, it is unlikely** that **the PLA would oblige. Top officers would see the disastrous implications of attacking Taiwan. Military caution would** also **guard against the even wilder scenario of the use of** **nuclear weapons against Japan or the U. S.** At the height of the Tiananmen protests it appears there was consideration given to the use of nuclear weapons in case the battle to suppress the protestors drew in outside Countries .41 But even then, the threats did not appear to gain even minimal support. **In an atmosphere in which the military is thinking about its future, the resort to nuclear confrontation would not make sense.**

**Transition will be peaceful and stable- China absorbed lessons from Taiwanese democracy**

**Deutsche Welle Asia, 12**

["Could Taiwan's democracy serve as a model for China?" 1-12-12, l/n, accessed 4-2-12]

As **Taiwan** gears up for elections at the weekend, analysts ask whether it could serve as a model for mainland China, considering it **has successfully demonstrated that democracy and Confucian values are compatible.** China's President Hu Jintao warned the cadres of the Communist Party last year against Western influence on China. "International hostile powers" are trying to influence China culturally and ideologically, he wrote in the Communist Party magazine Qiushi. His differentiation between Western and Chinese values is reminiscent of a debate triggered by the then prime minister of Singapore, Lee Kuan Yew, in the 1990s. He held Asian values such as diligence, thrift and respect for authority, and the fact that society came before the individual, as responsible for the economic miracle in East Asia. He said that Asian values and liberal Western democracy were not compatible. His stance received considerable support from Malaysia and the People's Republic of China. "It was about legitimizing their own rule," said Gunter Schubert, Professor for Greater China Studies at Tübingen University. "About securing their own claims to power." **Taiwan**, however, **offers an example of stable democracy in a Chinese context**. The opposition Democratic Progressive Party (DPP) was formed in 1986 and a year later the ruling Kuomintang lifted martial law. The first free presidential elections took place in 1996 with the Kuomintang losing power for the first time since 1949 four years later. **The government has been voted out of power twice** in the past 15 years **and the upcoming elections could well lead to another change** of government. **The transition of power is likely to take place without any undue chaos or confusion**. Aurel **Croissant from Heidelberg University is convinced** that **Taiwan's impressive democratization process has had an indirect impact on mainland China. "Taiwan has shown** that **democracy and Chinese culture are not** necessarily **incompatible**," he told Deutsche Welle. Moreover, **it is proof** that **democracy does not have to be accompanied by chaos or economic decline**.

**Golden parachutes solves**

**Gilley, 5** -- New School international affairs professor

[Bruce, New School University, former contributing editor at the Far Eastern Economic Review, China’s Democratic Future, 2005, 140-44]

Fortunately, **China will have the odds in its favor**. **The ability of hard-liners to retire peacefully has been a hallmark of extrications**, in contrast to overthrows. The exclusion of radicals in the opposition makes this more palatable at the political level. Moreover, there is a kind of mutual dependence between the interim regime and the ancien regime. **The interim regime** must respect the right to a quiet retirement of the hard-liners because it has one foot in the old order with its backward legality. It also **wants to offer** them a **graceful exit so** that **they will not pose a threat** to the new order. The **hard-liners**, meanwhile, **must recognize the interim regime because it offers them the best hope to avoid** jail, exile, or **death**. **China** had already **established a norm of quiet retirement for purged elites** in the late PRC era. **There is every reason to believe it will be respected again**.

**AT: No Democ Now**

**Yes china democracy is possible- regional democratization proves**

**Gibney 1/15/14** (James, Bloomberg Contributor, “Asian Democracy Surrounds China”, http://www.bloombergview.com/articles/2015-01-15/asian-democracy-surrounds-china)

The real threat posed to China by **Rajapaksa's surprising loss**, however, is different. This **marks the third big Asian election in the last 12 months in which voters have installed a new leader**: **first in India,** where Prime Minister Narendra Modi thumped the incumbent Congress Party; **then Indonesia,** where Joko Widodo, an outsider, won over voters with his record of competence as governor of Jakarta; **and now** Maithripala Sirisena's upset victory in **Sri Lanka**. **That kind of turnover at the top must give pause to China's Communist Party leaders**, **who see the mandate of heaven as an institutional birthright.**

**A look at the map is instructive**: As Freedom House notes , "**Over the past five years**, **the Asia-Pacific region has been the only one to record steady gains in political rights and civil liberties**." **On China's border**, autocratic **Myanmar** **has just gone ahead with the first municipal elections** in six decades in Yangon, its biggest city, and plans to hold general elections in late 2015. In **Taiwan**, the ruling Nationalists (who favor closer ties with mainland China) **just got a drubbing in local elections**. In China's near abroad, **Afghanistan's recent election**--for all its flaws**--also marked a significant step forward for its fledgling democracy.**

**China itself is wrestling with how to keep officials honest without a free press**, and how to hold them accountable for their performance without elections. Since Deng Xiaoping's revolutionary ascendance in 1978, China's Communist leadership has made mind-boggling gains in reducing poverty and increasing economic output. But the **severity and extent of President Xi** Jinping's **current anti-corruption campaign**, not to mention its **politically motivated targeting**, **reflect the inevitable shortcomings of China's top-down approach to governance**, which has also imposed enormous costs on its citizens' human freedoms. As an Economist editorial recently noted , the use of targets to ensure bureaucratic performance has led to, among other things, "wasteful overinvestment and environmental disaster … and the illegal barbarism of forced abortions." At the opposite extreme is a remarkable column by the Nobel Prize-winning economist Joseph Stiglitz, who waxes over the one-party state's displacement of the U.S. as the world's largest economy without shedding a single tear over how this was achieved.

## Inherency

### 1NC Shell

#### Inherency: The Affirmative Burden Is To Propose Substantial Change From The Status Quo

Anderson and Taylor, 2003:

(Taylor, M., & Anderson, J. (2003). From jurisdiction to narration: Standards for topicality in parliamentary debate. *National Parliamentary Debate Association, 8,* 81-91. Faculty At California State University, Long Beach)

Controversy Theoretically, "inherency" is a stock issue in policy debate to ensure that the Affirmatives advocacy is something new and/or a chal-lenge to the institutions and policies of the status quo. The Affirmative is given the burden to prove that not only is its opposition to the policy in the status quo, but that that Opposition will prevent any meaningful solution to the problem at hand without the change proposed by the Affirmative. As a result, one function of inherency is to limit the number of topical proposals under any given resolution because the Affirmative assumes the burden to prove that change is necessary to solve the harms cited in their case.

#### Violation

#### A Living Wage For Hong Kong Is $30.00/ Hour; Their Evidence

M.W.C., 2012:

Tong et al, Hong Kong Minimum Wage Commission, “2012 Report of the Minimum Wage Commission,” 2012.

To strike an appropriate balance among the demands of various parties, the MWC adopted an evidence-based approach in reviewing and making recommendation on the SMW rate. We examined the performance of the Basket of Indicators, which covers the socio-economic and employment situations, to grasp the socio-economic conditions during the implementation of the initial SMW rate (see Chapter 3) and its impact (see Chapter 4). We also made reference to the views of stakeholders and interested parties to better understand the impact of the initial SMW rate on society, economy and different sectors (in particular the low paying sectors (LPS)), and concerns expressed on the SMW rate and its review. Based on these views, we brought forth other considerations that are related to the review of the SMW rate but cannot be fully quantified through the Basket of Indicators. We also formulated an assessment framework to estimate the possible impact of different SMW levels on employees, businesses, inflation and unemployment rate (see Chapter 5). As there would inevitably be a time lag between the date of making recommendation and the date of its implementation, we took into account short-term economic and labour market outlook to conduct scenario testing with an attempt to have more thorough consideration when reviewing the SMW rate. We held in-depth, objective and rational discussions with regard to the considerations mentioned above and went through iterative dialectical deliberations. Having regard to the objectives enshrined in our statutory function, we unanimously reached a consensus on the recommendation of adjusting the SMW rate upwards to $30.0 per hour (by $2.0 or 7.1%).

#### The Current Minimum Wage In Hong Kong Is $30/ Hour

POLI, 2014:

(The Minimum Wage: The End Of Hong Kong As We Knew It. POLI3019: Hong Kong and the World 2014. Citing An Article Published By The Economist)

In July 2010, Hong Kong’s Legislative Council approved a minimum-wage law, which took effect on 1 May 2011. Under the law, the Chief Executive proposes a minimum wage (HK$28 an hour when the law went into effect; since May 2013, HK$30 an hour), which Legco can either approve or reject but cannot amend. The law does not apply to foreign domestic helpers, whose compensation is governed by other existing statutes. This 15 July 2010 Economist essay argues that the introduction of a minimum wage in Hong Kong is the thin edge of the wedge, “the end of a remarkable economic experiment”: Even at the low end of expectations, it will be about HK$1 more than leading fast-food outlets often pay—a good guide to market conditions—so many poorly paid people will get a boost. Legislation will then be introduced to limit working hours. Following that a push is expected for collective bargaining, a right granted by the colonial government just before the handover but reversed immediately after it… Secondary consequences are inevitable. Miriam Lau, a Liberal member of the legislature, says that even at HK$24 an hour, the minimum wage would cost 30,000 jobs, or 1% of the workforce. At HK$32, 170,000 jobs would go, doubling unemployment. Young people and immigrants from China, who are scooped by the territory’s abundant restaurants, building sites and cleaning and delivery businesses, would be the likeliest to be out of work. Such industries also employ disabled and older workers on low pay. Subsidies to support such people may have to be expanded if they lose their jobs. The minimum wage will also expand the rules involved in doing business in Hong Kong…The minimum wage will increase the demand for paperwork again, and by a lot. Hours and wages will be filed for all workers, right down to people in the knick-knack shops and markets that have been a vibrant component of Hong Kong’s economy. The government will have to spend more money on collecting data and inspecting firms. The article concludes: Many recent shifts in the law have elements of social policy, and many of the most vocal advocates of the shift reflect the opening of the political system, creating pressure for real problems to be addressed. Hong Kong remains, by and large, a vibrant, entrepreneurial place, with government spending far below Western standards. The costs of rising intervention will take a while to appear—and may always be hard to measure, especially with mainland China growing so fast. Yet a remarkable economic experiment is at an end. Overreaction? Or insightful? Has the adoption of a minimum wage turned out to be a positive or negative turning point for Hong Kong?

#### Even If A Wage Hike Is Necessary, It’s Coming In The Status Quo. As Of May 1st, Hong Kong Will Raise The Minimum Wage To $32.50/ Hour

H.S.F., 2015:

(Second Minimum Wage Increase In Hong Kong. January 22, 2015. Herbert Smith Free Hills Dispute Resolution, Business Analyst Firm)

On 16 January 2015, the Chief Executive in Council gazetted a legal notice to increase the statutory minimum wage in Hong Kong for the second time. Hong Kong’s minimum wage is therefore set to increase from its current rate of HK$30 per hour, to HK$32.50 per hour (equivalent to US$4.20 per hour). Subject to the Legislative Council’s approval, the new rate is expected to come into force on 1 May 2015. To reflect the amendment, the monthly monetary cap on recording the total number of hours worked will also increase from HK$12,300 to HK$13,300 per month. Employers found guilty of failing to pay at least the minimum wage to their employees are liable to pay a fine of HK$350,000 and to imprisonment for three years. Employers should therefore ensure they update their payroll systems where necessary to reflect the increased rate of pay. In addition, the Minimum Wage Ordinance requires the Minimum Wage Commission to report certain statistics to the Chief Executive in Council at least once every 2 years. In its 2014 report, the Minimum Wage Commission reported that: there are currently approximately 150,000 employees in Hong Kong who earn less than HK$32.50 per hour; employers will be required to pay an additional HK$1.36 billion per year due to the new minimum wage rate; and the new minimum wage rate would lead to a 0.2% increase in the current rate of unemployment rate.

#### $32.50/ Hour Is In Line With The Most Recent Recommendation Of Their Author, The MWC

M.W.C., 2015:

(Minimum Wage Commission Delighted By Acceptance Of Its Recommended Statutory Minimum Wage Rate. January 14, 2015. Press Released By The Minimum Wage Commission. <http://www.info.gov.hk/gia/general/201501/14/P201501140291.htm>)

The following is issued on behalf of the Minimum Wage Commission: After carrying out detailed analyses, in-depth assessment and thorough consideration, the Minimum Wage Commission (MWC) has by unanimous consensus recommended that the current Statutory Minimum Wage (SMW) rate of $30.0 per hour be raised to $32.5 per hour. "We are delighted to learn that the Chief Executive (CE) in Council has accepted our recommendation on the SMW rate after considering the report of the MWC," the MWC Chairperson, Mr Jat Sew-tong, SC, said today (January 14). The MWC is tasked to report to the CE in Council with its recommendation on the SMW rate. In performing its function, MWC must have regard to the need to maintain an appropriate balance between the objectives of forestalling excessively low wages and minimising the loss of low-paid jobs, and the need to sustain Hong Kong's economic growth and competitiveness. The full text of the "2014 Report of the Minimum Wage Commission" has been uploaded onto MWC's website (www.mwc.org.hk). Ends/Wednesday, January 14, 2015

#### The New Rate Will Apply To Earnings Of Up To $13, 300/ Month. An Increase To $32.50/ Hour Will Definitely Take Effect On May 1st

Abate and Tran, 2015:

(Hong Kong: Increased Minimum Wage Rate To Take Effect 1 May 2015 in Hong Kong. January 29, 2015. Duncan A.W. Abate, Hon Tran, Analysts For Mayer Brown, A Global Legal Services Organization)

On 16 January 2015, notice was gazetted to adjust the Statutory Minimum Wage ("SMW") rate to HK$32.5 per hour (up from the current HK$30 per hour). It is anticipated that the new rate will come into effect on 1 May 2015. To reflect the change to the SMW rate, the current HK$12,300 monthly cap (above which is not necessary to keep a written record of hours worked) will be increased to HK$13,300 per month. Employers should take steps to update their payroll procedures to reflect this change.

#### This Is More Than A Living Wage; Basic Expenses In Hong Kong Are $9,800 Per Month

Chabe, 2014:

(What Is The Minimum Salary Needed To Live A Decent Life In Hong Kong?, Published By Quora.com. Julien Chabe, IT Project Manager At The Hong Kong Jockey Club.. 2014)

Given that flat and food account for 80% of your expenses it highly depends on what you want to eat and where & in what you want to live. Flat : you can pay as little as 3000 hkd if you find roomates in a flat in Tin Hau, Jordan, Yau Ma Tei, Sheung Wan, Mongkok, Prince Edward for example or you can go for your own flat in the same area for 8000 hkd for maybe 400 sq feet or 12000 for maybe 550 sq ft. I would be you i would opt for the cheap solution until i know the place and make a better choice. So let's say you pay 4000 hkd. Food : wanna eat noodles every day or wanna eat western food. The bill won't be the same. You can eat for 35 hkd per lunch / dinner if you eat local, cook by yourself pasta / chicken... or you can go to Citysuper / Great and spend like 70 hkd per lunch / diner (you cook your food). Basically you will spend between 3000 and 9000 hkd on food per month. So let's say you spend 5000 hkd Transportation : it can be quite of a budget too. Depending what you need to use, between 600 and 1500 hkd per month. Let's say you spend 800 hkd. Total = 9800 hkd. So you wage should be at least 14000 hkd given that you can have side expenses.

#### Independently, The Squo Solves Their Offense. The Statutory Minimum Wage Regime Ensures Regular Wage Hikes, And Yes, It’s Indexed To Inflation

M.W.C., 2014:

(2014 Report Of The Minimum Wage Commission. Minimum Wage Commission For The Government Of Hong Kong)

**Background and Statutory Function** 1.1 The Minimum Wage Bill was passed by the Legislative Council on 17 July 2010, laying the legal foundation for Statutory Minimum Wage (SMW). The initial SMW rate was set at $28.0 per hour and implemented on 1 May 2011. 1.2 The Minimum Wage Commission (MWC) is an independent statutory body established under Part 3 of the Minimum Wage Ordinance (MWO) (Chapter 608 of the Laws of Hong Kong) with the main function to, when required by the Chief Executive (CE) to do so, report its recommendation about the SMW rate to CE in Council. 1.3 MWO stipulates that in performing its function, MWC must have regard to the need: (a) to maintain an appropriate balance between the objectives of forestalling excessively low wages and minimising the loss of low-paid jobs; and (b) to sustain Hong Kong’s economic growth and competitiveness. 1.4 The first term of MWC (2011-13) adopted an evidence-based approach in reviewing the SMW rate. After conducting extensive consultation, prudent and objective deliberations as well as iterative discussions, the first term of MWC reached a consensus and submitted its report to CE in Council in October 2012, recommending that the SMW rate be adjusted upwards from $28.0 per hour to $30.0 per hour. The recommendation was endorsed by CE in Council and the relevant subsidiary legislation was passed by the Legislative Council. The revised SMW rate (i.e. $30.0 per hour) was implemented on 1 May 2013. **1.II Composition and Membership List** 1.5 Members of the current term of MWC (2013-15) were appointed by CE with a two-year tenure starting from 1 March 2013. Among them, the nine non-official members were appointed on an ad personam basis, with three members drawn equally each from the labour, business and academic sectors respectively. Secretariat support to MWC is provided by the Labour Department and the Economic Analysis and Business Facilitation Unit of the Financial Secretary’s Office. Membership of the current term of MWC is as follows: Chairperson Mr JAT Sew Tong, S.B.S., S.C., J.P. Non-official Members (\*) Professor Alfred CHAN Cheung Ming, B.B.S., J.P. Mr Bankee KWAN Pak Hoo Mr LAU Chin Shek, J.P. Ms LAU Ka Shi, B.B.S. Professor LEUNG Siu Fai Ms LI Fung Ying, S.B.S., J.P. Professor SUEN Wing Chuen Mr Simon WONG Kit Lung, J.P. Mr Kingsley WONG Kwok, J.P. Official Members Permanent Secretary for Labour and Welfare Miss Annie TAM Kam Lan, J.P. Permanent Secretary for Commerce and Economic Development (Commerce, Industry and Tourism) Mr Andrew WONG Ho Yuen, J.P. Government Economist Mrs Helen CHAN, J.P. Secretary Chief Labour Officer (Statutory Minimum Wage) Mr William MAK Chi Tung **2 Work of the Minimum Wage Commission 2.I Underlying Principles in Discharging the Function 2.I.1 In conformity with the statutory function** 2.1 According to the Minimum Wage Ordinance (MWO) (Chapter 608 of the Laws of Hong Kong), the main function of the Minimum Wage Commission (MWC) is, when required by the Chief Executive (CE) to do so, to report its recommendation about the amount of the prescribed minimum hourly wage rate (the Statutory Minimum Wage (SMW) rate) to CE in Council. After considering the work and time involved for MWC to review and report its recommendation on the SMW rate, CE has, in accordance with MWO, required MWC to submit the recommendation report about the SMW rate on or before 31 October 2014. 2.2 MWO also stipulates that in performing its function, MWC must have regard to the need to maintain an appropriate balance between the objectives of forestalling excessively low wages and minimising the loss of low-paid jobs, and the need to sustain Hong Kong’s economic growth and competitiveness. Before making a recommendation about the SMW rate, MWC may conduct consultation, analyse and study data and information, and consider views from various sectors. 2.3 SMW has impacts on various aspects including the labour market, society and economy. Various sectors of the community also have diverse views and concerns about the review of the SMW rate. To conform with the statutory function of MWC and maintain an appropriate balance among its various objectives mentioned above, when reviewing the SMW rate, MWC not only made reference to the statistics in an Array of Indicators, but also studied the findings of other surveys and fully considered the views on the review of the SMW rate from various sectors of the community so as to recommend an appropriate SMW rate. 2.I.2 Evidence-based approach 2.4 To deliberate the SMW rate in an objective and balanced manner, MWC adopted an evidence-based approach by conducting comprehensive analyses on the information and data of surveys and research studies, examining the latest conditions of various Page 24 2014 Report of the Minimum Wage Commission Chapter 2: Work of the Minimum Wage Commission aspects of Hong Kong, and taking full account of the views from various sectors of society. In reviewing the SMW rate, the information and data to which we made reference came from: (1) statistical surveys and thematic study, including the Annual Earnings and Hours Survey (AEHS) and Annual Survey of Economic Activities (ASEA) conducted by the Census and Statistics Department (C&SD), the 2013 Study on Impact of Revised Statutory Minimum Wage Rate on Pay Hierarchies in the Retail and Restaurant Sectors commissioned by the Government, as well as a large number of other relevant data which were released and updated more frequently (please refer to paragraph 2.11) so as to consider the latest situation and trend; (2) empirical data, views and information provided by stakeholders and members of the public during the consultation conducted by MWC; (3) research and studies on experience of reviewing minimum wage rates in other places; and (4) relevant academic journals. After making reference to the above information and data, we also conducted impact assessment under different hourly wage test levels so as to recommend an appropriate SMW rate.

#### Standards

#### Without inherency, they can’t solve and they create a world where debate only focuses on bureaucratic trivia. AND, Existential Inherency Isn’t Enough. Specific Explanations Of Inherency Are Key To Real-World Education.

Paterno 94

[Jim, coach at Puyallup High School, WA, Rostrum March 94, www.nflonline.org/Rostrum/MarNinetyFourPaterno]

Perhaps the myth of policy makers never voting on inherency has been abusively extrapolated from the desires of a true policy-maker: discovering solutions that solve problems and implementing a plan of action with desirable side-effects. As such, it seems logical to focus the debate on what can be done rather than on why it is not being done currently in the status quo. However, one must realize that such a sterile analysis is premature, failing to account for the initial steps of the problem solving process. The result of which is the practice of instrumentalism, described by James Rule (1971) as "the concentration on the adequacy of means rather than the moral quality of the ends being sought." Thus, the policy maker who fails to consider inherency constructs, perpetuates a system which focuses on the means and not the ends. Avoidance of instrumentalism and the implementation of successful policies is achieved through the sound identification of what is being sought, the desired end-state. James Wilson (1967) contends that "the only point at which very much leverage can be gained on the problem is when we decide what it is we are trying to accomplish." For example, if the problem of hunger in the United States is being attacked, the effective policy -- maker envisions the end-state desired: the ability of individuals to feed themselves and/or their families. With this as the target objective it is clear why hunger still exists in America--policies are directed at giving food to the hungry, not at enabling individuals to provide for their own food needs. Thus it is evident that any problem being attacked must begin with a clear delineation of objectives, a clear statement of the desired endstate. Simply saying something is a problem, treating the symptoms and ignoring the causes does little to solve problems. One way of deciding what the end-result should be is to examine what it is not. This is where inherency comes into play. While the surface question of inherency might be what is preventing the affirmative plan, the answer is a much deeper analysis of the status quo. Even policy makers are concerned with why a problem exists, for without the cause how could any plan to solve be identified and adopted? In addition, the policy maker in search of a solution will always ask certain basic questions: why does the problem exist? what is the probable cause? who is affected? Such questions relate to the first and second steps of problem solving outlined by Gaw and Sayer (1979): defining the nature of the problem and analyzing the problem for causes and effects. Policy makers also subscribe to the third step of problem solving: suggesting solutions. Note the plurality of solution. Policy makers brainstorm a variety of answers to problems and then examine each one carefully. Thus, the inherency burdens of "has it been done before" and "why isn't it being done now" comes into question. Good policy makers seek to learn from the past -both successes and failures. It makes little sense to duplicate a past effort that has failed, unless of course the causes of failure have been removed or accounted for in the new proposal. All of this is not to say that the affirmative must propose ten or fifteen different policies for consideration. It does, however, suggest that an affirmative be able to respond to past efforts, similar efforts currently being practiced, and how preventative structures -- attitudinal, structural, or motivational - are being overcome or accounted for in the affirmative plan. Moreover, if the status quo is doing the affirmative, even on a small scale, the burden to show the value of duplication is high. Double efforts do not necessarily yield double results. In fact, the two can work against each other, fighting for resources, diminishing the others competitiveness to bolster one's own efforts, etc. Inherency in this line of argumentation is the policy making judge's a priori issue, if she is truly seeking to achieve a superior policy that provides desirable side-effects with minimal disadvantages.

#### 2) Purely Existential Inherency Is A Voting Issue; If They Don’t Have A Specific Explanation For Inherency, Then You Vote Negative On Presumption

Zarefsky 87

[David Zarefsky, Professor and Associate Dean of Northwestern University, ADVANCED DEBATE, 1987, p.211]

Similarly, inherency becomes a crucial consideration. Some answer must be offered to the causal question, “Absent the action envisioned by the proposition, why would presumably good people tolerate evil?” It will not do to report “the facts” and then to infer, without analysis, the existence of some causal force that would be removed if the action stated in 0the proposition were taken. The reason is that there are other, equally plausible, inferences which can be made from the same data. For example, policymakers simply may not yet perceive a situation as a problem. Or they may have determined that the problem cannot be solved. Or they may have concluded that, on balance, solving the problem would bring about far worse consequences than the evils which would be removed. Each of these inferences, because it offers a different interpretation of reality, stands as an alternate hypothesis that must be defeated in order to provide a unique defense of the proposition. To defeat the alternatives, the affirmative will need to answer the causal question which is at the base of the analysis of inherency.

### NR (Extensions)

#### Lack of specific inherency denies us key links – they have a positive obligation to cite specific barriers

Trumble 10

[David J. Trumble, Saint Anselm College, National Forensic Journal, 28(1), Spring]

Inherency is an essential part of an affirmative case because it answers the root cause issues of why the status quo is not solving the problem. It is proof of these root causes that insures the negative has fair ground for links to plan attacks. The affirmative must either address those root causes of inherency in the first affirmative constructive, be willing to provide complete answers if confronted with such questions during cross examination, or concede the discussion of the root causes to the negative.

#### Existential inherency leads to plans that replicate the squo. The impact is vacuous debate, bad education, and massive aff bias.

Trumble 10

[David J. Trumble, Saint Anselm College, National Forensic Journal, 28(1), Spring]

The problem with existential inherency is that if inherency need not be a prima facie issue, and if adopting the plan one day sooner or providing existing services to one more person is inherent, and the affirmative is not obligated to take a stand on the root causes of the problem in cross-examination, then we will encourage affirmative debaters to run status quo cases, as a strategy to effectively reduce negative ground to topicality, politics disadvantages, and plan specification arguments. Our theories should not just be developed on paper. They must also serve the larger purposes of the activity itself. As we decide which theories we will adopt and modify, we should be mindful of their impact on encouraging argumentative clash about the topic’s major issues and their impact on maintaining competitive equity. Debate is neither all game nor all education - it is both. Our rules and theories should promote both. Eliminating the role of inherency serves neither the competitive nor the educational purposes of the activity.

#### Existential inherency denies key neg links and prevents real-world debate

Trumble 10

[David J. Trumble, Saint Anselm College, National Forensic Journal, 28(1), Spring]

The basic problem with existential inherency is that it does not prove that the status quo will not solve the problem if left alone. This is important because it allows the affirmative to avoid discussing why the problem is inherent. There is no discussion of how the status quo arrived at the place where it now stands, whether the status quo is static or moving, and why the status quo will not change in the direction of the affirmative plan. In a general sense, we have to understand history in order to make sure that we learn from its lessons. In a debate sense, it is understanding why the status quo behaves as it does, that allows the negative debater to develop case-specific and relevant plan attacks. To avoid that discussion would be a poor way to make public policy in the real world. In the debate world, it reduces the educational strength of the activity and skews the debate in favor of the affirmative.

# \*\*\*Torrey Pines Moral Authorities AC\*\*\*

# Util 1NC v Moral Authorities

## Off Case

### Util Framework

Revisionary intuitionism is true and leads to util.

**Yudkowsky 8** writes[[78]](#footnote-78)

I haven't said much about metaethics - the nature of morality - because that has a forward dependency on a discussion of the Mind Projection Fallacy that I haven't gotten to yet. I used to be very confused about metaethics. After my confusion finally cleared up, I did a postmortem on my previous thoughts. I found that my object-level moral reasoning had been valuable and my **meta-level moral reasoning had been worse than useless.** And this appears to be a general syndrome - **people do much better when discussing whether torture is** good or **bad than when they discuss the meaning of "good" and "bad". Thus, I deem it prudent to keep moral discussions on the object level** wherever I possibly can. Occasionally **people object** to any discussion of morality on the grounds **that morality doesn't exist**, and in lieu of jumping over the forward dependency to explain that **"exist" is not the right term to use** here, I generally say, "But **what do you do anyway?**" and **take the discussion back down to the object level.** Paul Gowder, though, has pointed out that both the idea of choosing a googolplex dust specks in a googolplex eyes over 50 years of torture for one person, and the idea of "utilitarianism", depend on "intuition". He says I've argued that the two are not compatible, but charges me with failing to argue for the utilitarian intuitions that I appeal to. Now "intuition" is not how I would describe the computations that underlie human morality and distinguish us, as moralists, from an ideal philosopher of perfect emptiness and/or a rock. But I am okay with using the word "intuition" as a term of art, bearing in mind that "intuition" in this sense is not to be contrasted to reason, but is, rather, the cognitive building block out of which both long verbal arguments and fast perceptual arguments are constructed. **I see** the project of **morality as a project of renormalizing intuition.** We have intuitions about things that seem desirable or undesirable, intuitions about actions that are right or wrong, intuitions about how to resolve conflicting intuitions, intuitions about how to systematize specific intuitions into general principles. **Delete all** the **intuitions, and** you aren't left with an ideal philosopher of perfect emptiness, **you're left with a rock. Keep all your** specific **intuitions and** refuse to build upon the reflective ones, and you aren't left with an ideal philosopher of perfect spontaneity and genuineness, **you're left with a** grunting **caveperson** running in circles, due to cyclical preferences and similar inconsistencies. "Intuition", as a term of art, is not a curse word when it comes to morality - there is nothing else to argue from. **Even modus ponens is an "intuition"** in this sense - **it**'s **just** that modus ponens **still seems like a good idea after being** formalized, **reflected on**, extrapolated out to see if it has sensible consequences, etcetera. So that is "intuition". However, Gowder did not say what he meant by "utilitarianism". Does utilitarianism say... That right actions are strictly determined by good consequences? That praiseworthy actions depend on justifiable expectations of good consequences? That probabilities of consequences should normatively be discounted by their probability, so that a 50% probability of something bad should weigh exactly half as much in our tradeoffs? That virtuous actions always correspond to maximizing expected utility under some utility function? That two harmful events are worse than one? That two independent occurrences of a harm (not to the same person, not interacting with each other) are exactly twice as bad as one? That for any two harms A and B, with A much worse than B, there exists some tiny probability such that gambling on this probability of A is preferable to a certainty of B? If you say that I advocate something, or that my argument depends on something, and that it is wrong, do please specify what this thingy is... anyway, I accept 3, 5, 6, and 7, but not 4; I am not sure about the phrasing of 1; and 2 is true, I guess, but phrased in a rather solipsistic and selfish fashion: you should not worry about being praiseworthy. Now, what are the "intuitions" upon which my "utilitarianism" depends? This is a deepish sort of topic, but I'll take a quick stab at it. First of all, it's not just that someone presented me with a list of statements like those above, and I decided which ones sounded "intuitive". Among other things, **if you try to violate** "**util**itarianism", **you run into paradoxes, contradictions**, circular preferences, **and other** things that aren't **symptoms of** moral wrongness so much as **moral incoherence.** After you think about moral problems for a while, and also find new truths about the world, and even discover disturbing facts about how you yourself work, you often end up with different moral opinions than when you started out. This does not quite define moral progress, but it is how we experience moral progress. As part of my experienced moral progress, I've drawn a conceptual separation between questions of type Where should we go? and questions of type How should we get there? (Could that be what Gowder means by saying I'm "utilitarian"?) The question of where a road goes - where it leads - you can answer by traveling the road and finding out. If you have a false belief about where the road leads, this falsity can be destroyed by the truth in a very direct and straightforward manner. When it comes to wanting to go to a particular place, this want is not entirely immune from the destructive powers of truth. You could go there and find that you regret it afterward (which does not define moral error, but is how we experience moral error). But, even so, wanting to be in a particular place seems worth distinguishing from wanting to take a particular road to a particular place. Our intuitions about where to go are arguable enough, but our intuitions about how to get there are frankly messed up. **After** the two hundred and eighty-seventh **research** study **showing that people will chop their own feet off if you frame the problem the wrong way, you start to distrust first impressions. When you've read enough research on scope insensitivity** - people will pay only 28% more to protect all 57 wilderness areas in Ontario than one area, **people will pay the same amount to save 50,000 lives as 5,000 lives**... that sort of thing... Well, the worst case of scope insensitivity I've ever heard of was described here by Slovic: Other recent research shows similar results. Two Israeli psychologists asked people to contribute to a costly life-saving treatment. They could offer that contribution to a group of eight sick children, or to an individual child selected from the group. The target amount needed to save the child (or children) was the same in both cases. Contributions to individual group members far outweighed the contributions to the entire group. There's other research along similar lines, but I'm just presenting one example, 'cause, y'know, eight examples would probably have less impact. If you know the general experimental paradigm, then the reason for the above behavior is pretty obvious - focusing your attention on a single child creates more emotional arousal than trying to distribute attention around eight children simultaneously. So people are willing to pay more to help one child than to help eight. Now, **you could** look at this intuition, and **think it was** revealing **some** kind of **incredibly deep moral truth** which shows that one child's good fortune is somehow devalued by the other children's good fortune. But what about the billions of other children in the world? Why isn't it a bad idea to help this one child, when that causes the value of all the other children to go down? How can it be significantly better to have 1,329,342,410 happy children than 1,329,342,409, but then somewhat worse to have seven more at 1,329,342,417? **Or you could** look at that and **say: "The intuition is wrong: the brain can't** successfully **multiply** by eight and get a larger quantity than it started with. **But it ought to**, normatively speaking." And once you realize that the brain can't multiply by eight, then the other cases of scope neglect stop seeming to reveal some fundamental truth about 50,000 lives being worth just the same effort as 5,000 lives, or whatever. You don't get the impression you're looking at the revelation of a deep moral truth about nonagglomerative utilities. It's just that the brain doesn't goddamn multiply. Quantities get thrown out the window. If you have $100 to spend, and you spend $20 each on each of 5 efforts to save 5,000 lives, you will do worse than if you spend $100 on a single effort to save 50,000 lives. Likewise if such choices are made by 10 different people, rather than the same person. As soon as you start believing that it is better to save 50,000 lives than 25,000 lives, that simple preference of final destinations has implications for the choice of paths, when you consider five different events that save 5,000 lives. (It is a general principle that Bayesians see no difference between the long-run answer and the short-run answer; you never get two different answers from computing the same question two different ways. But the long run is a helpful intuition pump, so I am talking about it anyway.) The aggregative valuation strategy of "shut up and multiply" arises from the simple preference to have more of something - to save as many lives as possible - when you have to describe general principles for choosing more than once, acting more than once, planning at more than one time. Aggregation also arises from claiming that the local choice to save one life doesn't depend on how many lives already exist, far away on the other side of the planet, or far away on the other side of the universe. Three lives are one and one and one. No matter how many billions are doing better, or doing worse. 3 = 1 + 1 + 1, no matter what other quantities you add to both sides of the equation. And if you add another life you get 4 = 1 + 1 + 1 + 1. That's aggregation. **When you've read enough** heuristics and **biases research, and enough coherence** and uniqueness **proofs for** Bayesian probabilities and **expected utility**, and you've seen the "Dutch book" and "money pump" effects that penalize trying to handle uncertain outcomes any other way, **then you don't see** the **preference reversals** in the Allais Paradox **as** revealing **some** incredibly **deep moral truth** about the intrinsic value of certainty. **It just goes to show that the brain doesn't** goddamn **multiply.** The primitive, perceptual intuitions that make a choice "feel good" don't handle probabilistic pathways through time very skillfully, especially when the probabilities have been expressed symbolically rather than experienced as a frequency. So you reflect, devise more trustworthy logics, and think it through in words. When you see people insisting that no amount of money whatsoever is worth a single human life, and then driving an extra mile to save $10; or when you see people insisting that no amount of money is worth a decrement of health, and then choosing the cheapest health insurance available; then you don't think that their protestations reveal some deep truth about incommensurable utilities. Part of it, clearly, is that **primitive intuitions don't successfully diminish the emotional impact of** symbols standing for **small quantities** - anything you talk about seems like "an amount worth considering". And part of it has to do with preferring unconditional social rules to conditional social rules. Conditional rules seem weaker, seem more subject to manipulation. If there's any loophole that lets the government legally commit torture, then the government will drive a truck through that loophole. So it seems like there should be an unconditional social injunction against preferring money to life, and no "but" following it. Not even "but a thousand dollars isn't worth a 0.0000000001% probability of saving a life". Though the latter choice, of course, is revealed every time we sneeze without calling a doctor. The rhetoric of sacredness gets bonus points for seeming to express an unlimited commitment, an unconditional refusal that signals trustworthiness and refusal to compromise. So you conclude that moral rhetoric espouses qualitative distinctions, because espousing a quantitative tradeoff would sound like you were plotting to defect. On such occasions, people vigorously want to throw quantities out the window, and they get upset if you try to bring quantities back in, because quantities sound like conditions that would weaken the rule. But you don't conclude that there are actually two tiers of utility with lexical ordering. You don't conclude that there is actually an infinitely sharp moral gradient, some atom that moves a Planck distance (in our continuous physical universe) and sends a utility from 0 to infinity. You don't conclude that utilities must be expressed using hyper-real numbers. Because the lower tier would simply vanish in any equation. It would never be worth the tiniest effort to recalculate for it. All decisions would be determined by the upper tier, and all thought spent thinking about the upper tier only, if the upper tier genuinely had lexical priority. As Peter Norvig once pointed out, if Asimov's robots had strict priority for the First Law of Robotics ("A robot shall not harm a human being, nor through inaction allow a human being to come to harm") then no robot's behavior would ever show any sign of the other two Laws; there would always be some tiny First Law factor that would be sufficient to determine the decision. Whatever value is worth thinking about at all, must be worth trading off against all other values worth thinking about, because thought itself is a limited resource that must be traded off. When you reveal a value, you reveal a utility. I don't say that morality should always be simple. I've already said that the meaning of music is more than happiness alone, more than just a pleasure center lighting up. I would rather see music composed by people than by nonsentient machine learning algorithms, so that someone should have the joy of composition; I care about the journey, as well as the destination. And I am ready to hear if you tell me that the value of music is deeper, and involves more complications, than I realize - that the valuation of this one event is more complex than I know. But that's for one event. When it comes to multiplying by quantities and probabilities, complication is to be avoided - at least if you care more about the destination than the journey. **When you've reflected** on enough intuitions, **and corrected enough absurdities, you** start to **see a common denominator, a meta-principle** at work, **which one might phrase as "Shut up and multiply."** Where music is concerned, I care about the journey. When lives are at stake, I shut up and multiply. It is more important that lives be saved, than that we conform to any particular ritual in saving them. And the optimal path to that destination is governed by laws that are simple, because they are math. **And that's why I'm a utilitarian** - at least when I am doing something that is overwhelmingly more important than my own feelings about it - which is most of the time, because there are not many utilitarians, and many things left undone.

Consequentialist theories provide the simplest explanation of rational decision-making

**Pettit 99** writes[[79]](#footnote-79)

There are at least three respects in which **consequentialism scores on simplicity**. The first is that whereas consequentialists endorse only one way of responding to values, non-consequentialists endorse two. **Non-consequentialists** all **commit** themselves **to the view that certain values should be honoured rather than promoted**: say, values like those associated with loyalty and respect. **But they** all **agree**, whether or not in their role as moral theorists, that **certain** other **values should be promoted**: values **as various as economic prosperity, personal hygiene, and** the **safety of nuclear installations**. Thus **where consequentialists introduce a single axiom on how values justify choices, non-consequentialists must introduce two.** But not only is non-consequentialism less simple for losing the numbers game. It is also less simple for playing the game in an ad hoc way. Non-consequentialists all identify certain values as suitable for honouring rather than promoting. But they do not generally explain what it is about the values identified which means that justification comes from their being honoured rather than promoted. And indeed it is not clear what satisfactory explanation can be provided. **It is one thing to make a list of** the **values which allegedly require honouring**: values, say, like personal loyalty, respect for others, and punishment for wrongdoing. **It is another to say why these values are so** very **different from** the **ordinary** run of **desirable properties**. There may be features that mark them off from other values, but why do those features matter so much? That question typically goes unconsidered by non-consequentialists. Not only do they have a duality then where consequentialists have a unity; **they** also **have an unexplained duality**. The third respect in which **consequentialism** scores on the simplicity count is that it **fits nicely with** our **standard views of** what **rationality** requires, whereas non-consequentialism is in tension with such views. The agent concerned with a value is in a parallel position to that of an agent concerned with some personal good: say, health or income or status. In thinking about how an agent should act on the concern for a personal good, **we unhesitatingly say that** of course **the rational thing to do**, the rationally justified action, **is to act so that the good is promoted**. That means then that whereas the consequentialist line on how values justify choices is continuous with the standard line on rationality in the pursuit of personal goods, the non-consequentialist line is not. **The non-consequentialist has the embarrassment of having to defend a position** on what certain values require which is **without analogue in** the **non-moral** area of **practical rationality.**

### Outsourcing DA

Minimum wage increase leads to higher prices for the poor and causes outsourcing which kills US economic competitiveness.

**Leong 13** writes[[80]](#footnote-80)

The real problem is that other **low**er**-wage**-paying **companies**, such as McDonalds Corporation (NYSE/MCD), simply **won’t absorb** wage **increases without passing the increase** on **to** their **customers**. And there’s absolutely nothing illegal in this. It’s a fact: an increase in wages equals an increase in the price of goods. Think of it this way: when a company is forced to pay its minimum-wage employees a higher wage, **the company needs to allocate more** money **to**ward **payroll**. With an increase in wage costs, **that company now needs to find a** new **way to increase earnings so that it can cover this increase**. Raising the price of its goods is an obvious answer for the company. For instance, the cost of a $3.00 “Big Mac” rises to $3.25 following an increase in minimum wage. By boosting the minimum wage, the **low**er**-wage earners may make more, but it will be partly offset by higher costs for** end **goods**, such as those **at Wal-Mart and McDonald’s**, **which** are stores the **lower-income earners may be more inclined to shop** or eat **at**. Moreover, increasing the minimum wage will mean higher input costs at manufacturing plants across the nation. These **manufacturing plants will** then have two options: 1) **raise the price** of the end product; **or** 2) **move** part or all of their **manufacturing to cheaper labor markets** in places like Asia and Latin America. I suspect some companies will look more seriously at the latter option; and we all know **China and Mexico would welcome $2.00-per-hour plant jobs**. So before we just implement higher wages, we need to put more thought into the process; we need to consider what detrimental affects **higher wages** could have on America’s economy and its position in the broader economy, as a wage increase **could easily hurt** the **competitiveness of the country in the global market.**

Empirics prove that competitiveness creates economic hegemony which solves global conflict. **Hubbard 10** writes[[81]](#footnote-81)

Research into the theoretical underpinnings of this topic revealed that there are two main subfields within the literature on hegemonic stability. One line of study, an avenue pursued by prominent theorists such as Kindleberger, Keohane, and Ikenberry focuses primarily on questions of related to the economic system. The other avenue, pursued by theorists such as Gilpin, looks at the role of hegemonic governance in reducing violent conflict. In my research, I focus on this aspect of hegemonic stability – its implications for military conflict in the international system. To research this question, I undertook a broad quantitative study that examined data from both the American and British hegemonic epochs, focusing on the years of 1815-1939 in the case of British hegemony, and 1945 to 1999 in the case of American hegemony. I hypothesized that hegemonic strength was inversely correlated with levels of armed conflict in the international system. Using the data from the Correlates of War Project, I was able to perform a number of statistical analyses on my hypothesis. To measure hegemonic strength, I used the Composite Index of National Capability, a metric that averages together six different dimensions of relative power as a share of total power in the international system. **I** then **matched this data with data cataloging all conflicts** in the international system **since 1815**. I organized this data into five-year increments, in order to make statistical analysis more feasible. **Regression** analysis of the data **revealed** that there was **a statistically significant negative correlation between** relative **heg**emonic power **and conflict** levels in the international system. However, further statistical tests added complications to the picture of hegemonic governance that was emerging. Regression analysis of military actions engaged in by the hegemon versus total conflict in the system revealed a highly positive correlation for both American and British hegemony. Further **analysis revealed** that in both cases, **military power was a less accurate predictor of** military **conflict than economic power**. There are several possible explanations for these findings. It is likely that economic stability has an effect on international security. In addition, **weaker hegemons are more likely to be challenged militarily** than stronger hegemons. Thus, the hegemon will engage in more conflicts during times of international insecurity, because such times are also when the hegemon is weakest. Perhaps the **most important** implication of this research **is that hegemons may well be more effective in promoting peace through economic power** than through the exercise of military force. II. Research Question In examining hegemonic stability theory, there are several important questions to consider. First of all, an acceptable definition of what constitutes a hegemon must be established. Secondly, a good measure of what constitutes stability in the international system must be determined. Certainly, the frequency and severity of interstate conflict is an important measure of stability in the international system. However, other measures of stability should also be taken into account. Conflict in the international system takes on a wide range of forms. While military conflict is perhaps the most violent and severe dimension, it is only one of many forms that conflict can take. Conflict need not be confined to wars between traditional states. Terrorism, piracy, and guerilla warfare are also types of conflict that are endemic to the international system. Economic conflict, exemplified by trade wars, hostile actions such as sanctions, or outright trade embargos, is also an important form of conflict in the international system. States can also engage in a range of less severe actions that might be deemed political conflict, by recalling an ambassador or withdrawing from international bodies, for example. Clearly, “stability” as it pertains to the international system is a vast and amorphous concept. Because of these complexities, a comprehensive assessment of the theory is beyond the purview of this research. However, completing a more focused analysis is a realistic endeavor. Focusing on international armed conflicts in two select periods will serve to increase the feasibility the research. I will focus on the period of British hegemony lasting from the end of the Napoleonic wars to 1939 and the period of American hegemony beginning after the Second World War and continuing until 1999, the last year for which reliable data is available. The proposed hypothesis is that in these periods, the **heg**emon **acted as a stabilizing force** by reducing the frequency and severity of international armed conflict. The dependent variable in this case is the frequency and severity of conflict. The primary independent variable is the power level of the hegemon. This hypothesis is probabilistic since it posits that the hegemon tended to reduce conflict, not that it did so in every single possible instance. One way to test this hypothesis would be through a case-study method that examined the role of Britain and the United States in several different conflicts. This method would have the advantage of approaching the problem from a very feasible, limited perspective. While it would not reveal much about hegemony on a broader theoretical level, it would help provide practical grounding for what is a highly theoretical area of stuffy in international relations. Another method would be to do a broader quantitative comparison of international conflict by finding and comparing data on conflict and hegemonic strength for the entire time covered by British and American hegemony. The hypothesis is falsifiable, because it could be shown that the hegemon did not act as a stabilizing force during the years of study. **It** also **avoids** some of **the pitfalls** associated **with the case study method, such as selection bias and** the inherently **subjective** nature of **qualitative analysis.**

Absent heg, these conflicts will escalate and cause extinction. **Kagan 7** writes[[82]](#footnote-82)

The jostling for status and influence among these ambitious nations and would-be nations is a second defining feature of the new post-Cold War international system. **Nationalism** in all its forms **is back**, if it ever went away, **and so is international competition for power**, influence, honor, and status. **American predominance prevents these rivalries from intensifying** — its regional as well as its global predominance. **Were the U**nited **S**tates **to diminish its influence** in the regions where it is currently the strongest power, the **other nations would settle disputes** as great and lesser powers have done in the past: sometimes through diplomacy and accommodation but often **through confrontation and wars** of varying scope, intensity, and destructiveness. One novel aspect of such a multipolar world is that **most of these powers would possess nuclear weapons.** **That could make wars** between them less likely, or it could simply make them more **catastrophic.**

Adopt a parliamentary model to account for moral uncertainty. This entails minimizing existential risks. **Bostrom 9** writes[[83]](#footnote-83)

It seems people are overconfident about their moral beliefs.  But **how should one** reason and **act if one** acknowledges that one **is uncertain about morality** – not just applied ethics but fundamental moral issues? if you don't know which moral theory is correct?

It doesn't seem **you can[’t] simply plug your uncertainty into expected utility** decision theory and crank the wheel; **because many** moral **theories** state that you **should not** always **maximize** expected **utility.**

Even if we limit consideration to consequentialist theories, it still is hard to see how to combine them in the standard decision theoretic framework.  For example, suppose you give X% probability to total utilitarianism and (100-X)% to average utilitarianism.  Now an action might add 5 utils to total happiness and decrease average happiness by 2 utils.  (This could happen, e.g. if you create a new happy person that is less happy than the people who already existed.)  Now what do you do, for different values of X?

The problem gets even more complicated if we consider not only consequentialist theories but also deontological theories, contractarian theories, virtue ethics, etc.  We might even throw various meta-ethical theories into the stew: error theory, relativism, etc.

I'm working on a paper on this together with my colleague Toby Ord.  We have some arguments against a few possible "solutions" that we think don't work.  On the positive side we have some tricks that work for a few special cases.  But beyond that, the best **we have managed** so far is **a** kind of **metaphor, which** we don't think is literally and exactly correct, and it is a bit under-determined, but it **seems to get things roughly right** and it might point in the right direction:

**The Parliamentary Model.**  Suppose that you have a set of mutually exclusive moral theories, and that you assign each of these some probability.  Now imagine that **each** of these **theorie**s **gets to send** some number of **delegates to The Parliament**.  The number of delegates each theory gets to send is **proportional to the probability of the theory.**  Then the delegates bargain with one another for support on various issues; and the Parliament reaches a decision by the delegates voting.  What you should do is act according to the decisions of this imaginary Parliament.  (Actually, we use an extra trick here: we imagine that the delegates act as if the Parliament's decision were a stochastic variable such that the probability of the Parliament taking action A is proportional to the fraction of votes for A.  This has the effect of eliminating the artificial 50% threshold that otherwise gives a majority bloc absolute power.  Yet – unbeknownst to the delegates – the Parliament always takes whatever action got the most votes: this way we avoid paying the cost of the randomization!)

The idea here is that moral theories get more influence the more probable they are; yet **even a** relatively **weak theory can still get its way on some issues** that the theory think are extremely important **by sacrificing** its influence **on other** i**s**sues that other theories deem more important.  For example, **suppose you assign 10% probability to** total **util**itarianism and 90% to moral egoism (just to illustrate the principle).  Then **the Parliament** would mostly take actions that maximize egoistic satisfaction; however it **would make some concessions to util**itarianism **on** issues that utilitarianism thinks is especially important.  In this example, the person might donate some portion of their income to **existential risks** research and otherwise live completely selfishly.

I think there might be wisdom in **this model**.  It **avoids the** dangerous and **unstable extremism** that would result **from letting one’s current favorite moral theory completely dictate action**, while still allowing the aggressive pursuit of some non-commonsensical high-leverage strategies so long as they don’t infringe too much on what other major moral theories deem centrally important.

## Case

### General Answers

1. The standard fails for rational decision-making since we don’t know of every single moral authority, what each one of them believes about everything, and how they relate to our lives. Consequentialism solves since it’s inspired by the average practical rationality of a person, that’s Pettit 99.

2. Moral authorities could contradict. Even if moral authorities are recognized by our intuitions, intuitions also conflict. We need revisionary intuitionism to resolve those conflicts because if intuitions conflict, one of them is inevitably the un-founded one. Revisionary intuitionism means util, that’s Yudkowsky 8.

3. There are lots of horrible traditions like infanticide and female genital mutilation. His framework justifies acceptance of those.

### Gadamer Bad

Upholding tradition promotes authoritarian and dogmatic forms of thought. Critical self-reflection that calls tradition into question is essential to freedom.

**Kim 11** summarizes Habermas[[84]](#footnote-84)

This early work anticipates aspects of his later theory insofar as it ties together the empirical and the transcendental (Habermas, 1986a:197). As we saw in Section 4.3 universal pragmatics has a similar structure: everyday language (the empirical) and a counterfactually presupposed set of validity claims (the ‘transcendental’). The concept of knowledge-constitutive interests are, in Habermas’s language, ‘quasi-transcendental’ (Held, 1980:255). The three knowledgeconstitutive interests correspond to three domains of social life: labour (empirical-analytical), language (historical-hermeneutic), and what might be more vaguely described as ‘emancipation’ (critical reflection). This third domain – **critical reflection** – is articulated as **the emancipatory interest in overcoming authoritarian and dogmatic structures of thought** and action (Held, 1980:255). Since this is central to Habermas’s critique of Gadamer I will focus on it here. Essentially, it may be stated that critical reflection has the aim of recreating a 104completely uninhibited subjectivity. Habermas states that, ‘this interest can only develop to the degree to which repressive force, in the form of the normative exercise of power, presents itself permanently in structures of distorted communication – that is to the extent that domination is institutionalised’ (Habermas, 1973b:9). Habermas links the emancipatory interest to critical reflection and argues that **critical reflection not only unveils** the **concealed ‘structures of distortion’, but dissolves** the **‘effects of distortion’** (Sinclair, 2005:230). Hence Habermas endorses the importance of the emancipatory characteristic of critical reflection as follows: The experience of reflection articulates itself substantially in the concept of a selfformative process. Methodologically it leads to a standpoint from which the identity of reason with the will of reason freely arises. In self-reflection, knowledge for the sake of knowledge comes to coincide with the interest in autonomy and responsibility. For the **pursuit of reflection knows itself as a movement of emancipation. Reason is at the same time subject to** the **interest in reason**. We can say that it obeys an emancipatory cognitive interest which aims at the pursuit of reflection. (Habermas, 1982:198) Habermas asserts that epistemology is only possible as social theory; moreover, critique is viable only in instances where ‘reason is at the same time subject to the interest in reason’ (Habermas, 1973b:198). In other words, reason that is not tied to human interests – or awareness of human interests – cannot serve the end of emancipation. In his later work this is expressed in the idea of communicative reason, as distinct from strategic reason: in becoming aware that we raise validity claims we also become aware of the emancipatory potential of reason. Habermas further maintains that ‘the hypothetical construct which I will call knowledge-constitutive or knowledge-guiding interest is supposed to enable us to understand the systematic (though conditional) embeddedness of discursively produced theoretical knowledge in the practice of a form of life which can only reproduce itself with the aid of potentially true statements’ (Habermas, 1973a:180-181). To explain: there is a mutual entanglement of truth and social life. Scientific practices are embedded in social life, but society must be guided by the pursuit of truth. Habermas is not, of course, concerned exclusively with Gadamer, but his notion of **‘critical self-reflection’**, tied to knowledge-constitutive interests, **is central to** his **critique of Gadamer**ian hermeneutics. So what exactly is ‘critical self-reflection’? Habermas refers to Hegel’s Phenomenology of Spirit by suggesting that it is ‘the critical dissolution of subjectively constituted pseudo-objectivity’ whereby, **through gaining** an **understanding of** the 105**delusions of ‘false consciousness’,** an individual is able to ‘emancipate itself from itself’ (Habermas, 1973a:182-183). **Critical self-reflection is** then the **dissolution of historically produced reifications of consciousness, which is precisely what** Habermas thinks **Gadamer is engaged in through** his **positive evaluation of tradition**, and the prejudices that underlie tradition. The only way that such reifications can be dissolved is through communicative action, although Habermas only gradually formulated a theory that embodied the emancipatory potential of language.

Gadamer’s defense of tradition conflates understanding with interpretation and precludes social criticism when we have a good idea that tradition isn’t always correct

**Kim 11** summarizes Habermas[[85]](#footnote-85)

In Habermas’s view **Gadamer adopts a perspective on tradition** and language **which places too much weight on empirical agreement**, as distinct from ‘coming to an understanding’ from a standpoint of equality. Furthermore, **‘understanding’ and ‘interpretation’ are**, Habermas suggests, **analytically distinct, but Gadamer fails to** explain or even **acknowledge this fact** (Holub, 1991:46). Subsequently, there is present **in Gadamer’s work** an uncritical ‘nostalgia’ and **the concept of ‘understanding’ is so hermeneutically rooted that social criticism is impossible** (Kaplan, 2003:41). Gadamer, in effect, reifies social life, viewing tradition as an ‘objective’ context (Habermas, 1986b:313). The relation that Gadamer posits between understanding and prejudice, authority, and tradition is characterised by the assimilation and preservation of conventional and existing norms: ‘Gadamer, if I am correct, is of the opinion that the hermeneutical elucidation of unintelligible or misunderstood expression must refer back to a prior consensus which has been reliably worked out in the dialogue of a convergent tradition.’ (Habermas, 1986b:313). With this in mind, it is clear that Habermas links Gadamer with traditional hermeneutics, which saw its task as the avoidance of misunderstanding. Tradition is thus considered to be ‘objective for us, in the sense that it cannot be confronted with a claim to truth in principle’ (Habermas, 1986b:313). **As a result of the account of** the inherently prejudiced character of all **understanding provided by Gadamer, it is not only impractical to question** the **consensus** around tradition **but also pointless** (Habermas, 1986b:313). In Habermas’ view, Gadamer has ‘further used hermeneutical insight into the prejudicial structure of understanding to restrict the quest for enlightenment to the horizon of prevailing convictions’ (Habermas, 1986b:316): **We have good reason to suspect that** the **background consensus of established traditions** and language games **can be a consciousness forged of compulsions**, a result of pseudo-communication, not only in the pathologically isolated case of disturbed familial systems, but in entire social systems as well. The **freedom of movement of a hermeneutical understanding** widened into critique, **therefore, ought not to be linked to** the free play available within the tradition and **prevailing convictions**. (Habermas, 1986b:317)

Gadamer can’t have it both ways. Either Varun’s framework precludes social criticism or tradition isn’t the foundation of subjectivity

**Kim 11** summarizes Habermas[[86]](#footnote-86)

Habermas further argues that ‘the objectivity of a “happening” of tradition that is made up of symbolic meaning is not objective enough. Hermeneutics comes up against the walls of the traditional framework from the inside, as it were’ (Habermas, 1977:360). In other words, **Gadamer cannot simultaneously reject the traditional positivist**, objectivist **view** of human life, **and at the same time** **treat tradition as something that ‘exists’** (that ‘happens’). Of course, Habermas also rejects the positivist conception of society, but he would argue that he is better armed in his confrontation with the objectifying natural sciences. Against tradition-validating hermeneutics **Habermas maintains that sociology requires a ‘reference system’ which will ‘**no longer leave tradition as such in its relation to other aspects of the complex of social life, thereby **enabl**ing **us to designate** the **conditions outside of tradition under which transcendental rules of** world-comprehension and of **action empirically change’** (Habermas, 1977:361). **That ‘reference system’** – which communicative action theory provides – **places tradition under criticism**. In effect, the ‘walls of the traditional framework’ referred to above are broken through. **Gadamer does not allow for the possibility that when reflecting** up**on tradition that ‘tradition’ might be changed and** – this is the crucial point – **if** it is **changed** then it **does not have the power to** affect or **determine subjectivity** (Habermas, 1977:354). Gadamer seemingly does not acknowledge that the facets of subjectivity which he advances in his argument – i.e. effective-history, language, prejudice and tradition – may lose their power through the process of self-reflection: ‘The substantiality of what is historically pre-given does not remain unaffected when it is taken up by reflection. A structure of preunderstanding or prejudgment that has been rendered transparent can no longer function as a prejudice’ (Habermas, 1977:358). In effect, **Gadamer wants both to argue that tradition can be criticised** and critically reconstructed **and** at the same time maintain **that** human **subjectivity** – historically effected consciousness – **is dependent on tradition**. Either tradition grounds subjectivity or subjectivity grounds tradition. The ‘prior consensus’ that Habermas identifies in Gadamer’s work operates as an ideal (Habermas, 1986b:313), but it is free-floating and ungrounded. Insofar as human beings have critical capacities for Gadamer, they are just one form of conventional ability among others. This necessarily makes Gadamer a conservative, for whom there is no horizon beyond the fusion of horizons. Nonetheless, Gadamer insists that both reflective recognition (that is, 107recognition of authority) and reflective retrieval (that is, retrieval of a particular tradition), can work as critique. Consequently Gadamer rejects Habermas’s charge that tradition-contextual embeddedness does not successfully establish the difference between ‘counterfactual’ (critically reflective, rational) and ‘prior’ (unreflective) agreement (Rasmussen, 1990:38-45). However, Habermas insists that **the ultimate test of the rationality of** a **tradition is our capacity to reject it**. And this is an option which is not open to Gadamer. If we cannot reject tradition then we have to conclude that its foundation is dogmatic and tradition is a ‘cage’ from which we cannot escape. Tradition then constitutes a set of pre-given norms and prejudices. Gadamer can only legitimately talk about criticism and the non-coercive nature of tradition and authority if he posits a concept of critical reflection that allows for the possibility that prejudices can fall away (Habermas, 1977:359). **Gadamer’s notion of reflection ‘could only move within the limits of** the **facticity of tradition**. The act of recognition that is mediated through reflection would not at all have altered the fact that tradition as such remains the only ground of the validity of prejudices’ (Habermas, 1977:358). For Gadamer – on Habermas’s account – objective tradition is the sole basis for a reflective act (Habermas, 1977:359). As argued in Chapter 3, this may be described as a Heideggerian manifestation of the conception of the ‘fore-structure’ of understanding, which underpins the idea that people are ‘thrown’ into the world that is already a ‘given’.

Gadamer’s understanding of tradition as grounded in language can’t account for power hierarchies

**Kim 11** summarizes Habermas[[87]](#footnote-87)

Moreover, **Gadamer is further criticised** by Habermas **for viewing tradition as ‘linguistic’** in character30 (Habermas, 1986b:303). Given the central role language plays in Habermas’s own work it is important to grasp the nature of Habermas’s criticism. Habermas brings together three different considerations that underlie Gadamer’s use of the concept of language. Firstly, all understanding is rooted in tradition. Secondly, all understanding and comprehension has a fundamentally linguistic nature. And thirdly, language comprises tradition (Gadamer, 1989:389; Pannenberg, 1970:123). Thus tradition and language are identified with one another. Habermas argues that ‘linguistic tradition’ is divorced from any non-linguistic, material interests. The result is that **the model of dialogue presented by Gadamer is not adequate to** the **reality of communication, because it denies** the **existence of power hierarchies**, with the model instead taking the stance that there is only symmetrical or mutual communication (Habermas, 1977:360). This contrasts with Habermas’s theory of communicative rationality which subjects everyday distorted communication to criticism through the counterfactually presupposed validity claims. **Critique, on Gadamer’s account of communication, can only extend as far as identifying misunderstandings and is therefore unable** to clarify or **explain power and domination and their** respective **non-linguistic means** (Habermas, 1988:172).

### Poverty Turn

**Martin Luther King is a moral authority, not an empirical authority. We should trust MLK that poverty is bad but not that a living wage is a good response to poverty. You should prefer empirical authorities on the link-level question of whether living wage achieves MLK’s desired ends.**

**Living wage causes poverty; consensus of economists**

**Quigley 1**

William Quigley, Law Professor-Loyola University New Orleans, 2001, "Full Time Workers Should Not Be Poor: The Living Wage Movement," Mississippi Law Journal, Spring, 70 Miss. J.J. 889, p. 935-6

Opponents of living wages argue that these ordinances could potentially increase the local poverty rate and cost too much. A survey of over 300 economists conducted in 2000 for the Employment Policies Institute, a nonprofit research organization generally opposed to raises in both the minimum wage and the enactment of living wage ordinances, found that nearly eight in ten of the labor economists surveyed thought living wage ordinances would result in employers hiring higher skilled workers, and over 70% said the laws could potentially reduce the number of entry-level jobs and thus increase the local poverty rate. [n180](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n180) The opposition also suggests that living wage ordinances increase the cost of governmental contracts. Pasadena, California, estimated their living wage ordinance cost to be about $ 200,000 for the year 2000; Cambridge, Massachusetts, estimated its cost at $ 300,000; Madison, Wisconsin, estimated its cost at $ 47,000. [n181](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n181) While there is certainly some cost associated with living wages, this article will not join in the aforementioned melee of economists. Others disagree. [n182](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n182)

### Ayn Rand Turn

A living wage is government interference in the free market

**Phillips 13** writes[[88]](#footnote-88)

The focus on wages reverses cause and effect. The focus on wages is a focus on consumption—what a worker can buy from his wages. But an individual cannot consume until he produces, unless he wishes to live as a parasite. Government intervention impedes production. Government intervention prevents individuals from starting businesses, creating jobs, developing new products or processes. **Government intervention prevents individuals from acting on their own judgment**. If someone wants to offer a job with a pay of $2 an hour, he should be free to do so. If he cannot attract enough workers at that wage, he will need to offer more or go out of business. If a worker is willing to work for $2 an hour, why should anyone prevent him from doing so? **If the business owner judges that a job is only worth $2 an hour, he should be free to act** on his own judgment**. If a worker judges that** a job paying **$2 an hour is his best opportunity, he should be free to act** on his own judgment. Government intervention in the employer/employee relationship prohibits each from acting as he thinks best for his own life. Like all advocates of government intervention, the **advocates of a “living wage” believe that they know what is best for other** individual**s. They are willing to use government coercion to dictate** how others may live **their lives**. Ironically, and sadly, while advocating a “living wage” they simultaneously seek to prohibit others from actually living.

People don’t have a positive right to basic goods

**Rand 63** writes[[89]](#footnote-89)

**Jobs, food, clothing**, recreation (!), homes, medical care, education, etc., **do not grow in nature.** These are man-made values- goods and services produced by men. **Who is to provide them? If some** men **are entitled by right to the products of** the **work of others,** it means that **those others are** deprived of rights and **condemned to slave labor**. Any alleged “right” of one man, which necessitates the violation of the rights of another, is not and cannot be a right. No man can have a right to impose an unchosen obligation, an unrewarded duty or an involuntary servitude on another man. **There can be no such thing as “the right to enslave”. A right does not include** the **material implementation** of that right by other men; **it includes only the freedom to earn that implementation by one’s own effort.**

The rich are comparatively better moral authorities

**Mohanty 12** writes[[90]](#footnote-90)

Do we exalt the John Galts and Howard Roarks among us or despise them? Do we admire the ultimate, self-centered and selfish capitalists or the selfless, self-sacrificing altruists? Oh **sure there are** the **M**artin **L**uther **K**ing, Jr.**s and** Mahatma **Gandhis and** Nelson **Mandelas** and Aung Sun Suu Kyis **we like to point to as** icons and **worthy role models** for our children. **But** look deeply and we find that **we are obsessed with the wealthy**. And who are the wealthy? Why do **we let** the Robert Rubins, Sandy Weills, Jakc Welchs, Jamie Dimons and their **Wall St. brethren keep their millions? Because we consider that** right and **their right**. Let alone the hedge fund people whose entire purpose is to become billionaires. How many people explicitly make life choices that will lead to a life of service -> not be a charlatan like Mother Teresa but just helping the underprivileged without trying to 'achieve' greatness by so doing. So Lance Armstrong and Greg Mortensen and the Evangelical Christian blowhards such as Pat Robertson and Jerry Falwell don't count. All the Indian Hindu godmen -- who are too numerous to make a comprehensive list -- are in it to become gods themselves. I hope nobody thinks for a moment that a Sai Baba or Ravi Shankar or Ram dev or the others are in it to do 'service.' Think of the obsessive listing of the wealthy in the media -> what does that show except that We The People are obsessed with wealth and the wealthy. Think of the self-promotional crazy stunts of the Hollywood celebrities who are clearly not in the business of doing charity by any stretch of the imagination. Coming down from these Olympian levels to levels of ordinary mortals like you and me, what motivates the average successful individual? Take a doctor. There are hundreds of thousands if not millions of doctors in the world. Who goes to the top of that pyramid? There are only a few doctors who reach the top of their chosen profession of medicine - they are the top dogs, the chairmen of depts. at academic medical centers, the consultants to the big pharma companies, the rock stars of the various medical disciplines like cancer or heart or brain surgery, the doctors who have built enough of  a name for themselves that the average public has heard of them. These are the doctors who manage to make in excess of a million dollars in the U.S. Take teachers. There are thousands and hundreds of thousands of them. But only a few reach the top of this mountain. The teachers who are professors at the Ivy League universities, who write books, or appear on TV, or go on the lecture circuit, perhaps serve in the govt. for a while, head think tanks -> think Condolezza Rice and Elizabeth Warren or Michael Sandel and Niall Ferguson. Take sportspersons. Is it even POSSIBLE to think of top sportspersons separately from their multi-million endorsement deals? Who is the exception? Not Tiger Woods. Neither Roger Federer nor Michael Schumacher. And surely not David Beckham. You can add any famous footballer, or basketball player or tennis player or baseball player or Formula One driver or boxer. They do it for the money. The 'closest' way to be a follower of the Dr. Kings and Gandhis would be to enter public service. How many leaders on the world stage can you name who are in public service primarily to do selfless service? At worst, elected leaders of nations can turn into Hitlers. But even at their best, democratic nations have produced leaders like George W. Bush or Tony Blair. Indian democracy seems to be faithful not to a republican ideal but to some older, apparently ingrained desire to elect leaders belonging to the same family generation after generation. All democracies appear to be flawed to various degrees. And yet, these are the 'democracies.' Nobody expects Iran, North Korea, or Cuba, or Venezuela to come up with the next Gandhi. Leaders of nations never fail to extol the 'courage' and 'sacrifice' of the troops belonging to their nations. So Obama will say that America's fighting forces are the best and finest forces in the world and the men and women 'serving' in those forces make incredible 'sacrifices' for their country everyday. The French President will say the same about the French soldiers. The Indian Prime Minister will say the same things as well -> about bravery and courage and sacrifice. I think we all understand the lie in this and let it be. The troops are not in the military because they want to make sacrifices for their country but because of other personal factors -> may be they wanted to be fighter pilots or be at the cutting edge of technology or they come from poor families and the military seemed a nice enough career option from a financial perspective. The Obama and Democratic doctrine in the U.S. of sturdier social safety nets and a move towards universal healthcare and greater government role in providing various services to the citizens finds favor with the citizens precisely because there are so many millions of people who are dependent on these services and safety nets. If I am a Medicare beneficiary and fight to continue to be one and want to vote and vote for the guy who'll assure me that it ain't going anywhere, then I am not doing anything altruistic, am I? Even women appear to have realized that they will have greater power over men by 'withholding' the only currency they have -> that of sex. So from a peak of a permissive and pervasive culture of sex, we see women retreating towards some ideal of monogamy - or at at least giving importance to traditional social structures such as marriage (followed by monogamy). Perhaps **nothing exemplifies** the fundamental self-centeredness and **selfishness** of human beings **as the fact of** there being such **income disparities** within and among nations on one planet. We have not really learned that we are one species, have we? We are still Americans and Canadians and French and British and Germans and Russians and Japanese. Oh, these are merely the rich folks of the world. The advanced, wealthy nations of the world at best have a total combined population of one billion. The rest of the global population (six billion plus) is poor. Even within these rich countries, the poor are taken care of to varying degrees - in the Scandinavian nations, or in Japan, a sense of equity and inclusiveness exists; the poor are taken care of by the government, the old receive free medical care or pensions. In America, people are less entitled to government stuff - though there's Medicare and Medicaid, there's no national government-funded and government-run healthcare system. But beyond these tiny islands of wealth and the even tinier islands of wealth in the Middle East, there exist these vast oceans of povery across much of Asia, Africa, and Latin America. Millions of people existing on the edge of starvation and death. If humans were not selfish, with all the knowledge and technology at our disposal, people in the developed nations would have pushed their governments to do more to eradicate some of the completely unnecessary deaths from easily curable diseases that is still so commonplace in so many parts of the world. Are you thinking -> "Well, why would the average American or Canadian or French citizen think about grinding poverty in Africa and India?" Well, exactly. They don't. They are too busy with their own lives. Which explains why we see so much coverage in the media about the challenges of bringing up kids in the age of Ritalin and Facebook. We see coverage about homes that cost a million dollars and other homes that cost 50 or 100 million dollars. And cars that cost 100,000 dollars to a million dollars. We have the ridiculous state of affairs where people in the developed nations spend more on their pets than people in developing countries spend on their human babies. Which is why we have medicines for cancer that can cost 5,000 dollars per month - clearly out of reach for the billions who survive on less than a dollar a day. **Here's the contradiction people are living with** consciously or unconsciously. The average middle class person in the U.S. or Europe doesn't consider himself or herself to be a 'parasite' as Ayn Rand might. So **it's considered right** and correct **that the rich should** be asked to **pay their fair share of taxes** to the government **and the government should take care of the poor**, the elderly and those who are not able to fend for themselves. **At the same time, there's no law against becoming millionaires** or billionaires -> becoming wealthy is mostly celebrated. Making money is mostly a glorious activity and achievement in the rich societies. **So, people are in agreement with** Ayn **Rand when she says that the wealthy are the heroes and that free market economics is** the **right** policy choice. But people don't agree with Rand when she considers the poor to be 'parasites.' People are ok with government helping those who have fallen on hard times. Indeed, people want the government to do more -> particularly as more and more people are becoming prone to falling and indeed falling into hard times. The veterans, the elderly, the poor, the unemployed, etc. do not consider themselves to be parasites. The problem with this conception and formulation of a 'compassionate society' is that the compassion stops at the border. It's not clear why that should be so -- particularly in this age of the ubiquitous internet when the sufferings of anyone and everyone in the world living anywhere is instantaneously transmitted to every corner of the world by TV. Why is the suffering of the homeless kids in Florida more heart-wrenching than the suffering of the kids in Africa or Afghanistan or the suffering of the street kids in India. Why is it news if 'adult' children in the U.S. are 'moving in' with their parents because of the challenging economic environment? Are not there more challenging crises facing humans in poor countries of the world? What about the urban poor in India and China who live in very difficult circumstances -- perhaps in slums? The average middle class person in the West earning 30,000 dollars per annum would be virtually a millionaire in poor India or Africa. But the middle class folks in the rich nations don't feel that they have a 'duty' to be compassionate towards the poor and the suffering citizens and kids throughout the world. The **governments in** the **rich nations do not feel obliged to tax the middle class** heavily **and send the revenue** collected **to** the **poor nations. So** the **compassion** of the average American or European **extends** to the unfortunate citizen or kid **only within** the boundaries of **their own country**. A wonderful case of moral relativism indeed. Or **simple selfishness showing in the end that people operate in their minds in the way that** Ayn **Rand portrayed** -> though people may be ashamed to admit that in the exaggerated way in which Rand contrasts the 'heroes' and 'parasites' in her novels.

Ayn Rand is inspiring

**Murray 14** writes[[91]](#footnote-91)

Second, Ayn **Rand portrayed a world I wanted to live in**, not because I would be rich or powerful in it, but because it consisted of people I wanted to be around. As conditions deteriorate in “Atlas Shrugged,” the first person to quit in disgust at Hank Rearden’s steel mill is Tom Colby, head of the company union: For ten years, he had heard himself denounced throughout the country, because his was a ‘company union’ and because he had never engaged in a violent conflict with the management. This was true; no conflict had ever been necessary; Rearden paid a higher wage scale than any union scale in the country, for which he demanded—and got—the best labor force to be found anywhere. That’s not a world of selfishness or greed. It’s a world of cooperation and mutual benefit through the pursuit of self-interest, enabling satisfying lives not only for the Hank Reardens of the world but for factory workers. I still want to live there. That world came together **in** the chapters of **“Atlas Shrugged” describing Galt’s Gulch**, the chapters I most often reread when I go back to the book. The **great men and women** who have gone on strike are **gathered there**, sometimes working at their old professions, but more often being grocers and cabbage growers and plumbers, **because that’s the niche in which they can make a living**. In scene after scene, **Rand shows what such a community would be like, and it does not consist of isolated individualists** holding one another at arm’s length. **Individualists**, yes, but ones **who have fun in one another’s company**, care about one another, **and care for one another**—not out of obligation, but **out of** mutual respect and **spontaneous affection.**

### Rand O/W Pope Francis

Prefer Rand to Pope Francis—

The Pope’s rejection of capitalism means trusting in his “moral authority” is bad for the poor. Only free markets can help the poor; Argentina proves.

**Hudgins 13** writes[[92]](#footnote-92)

Francis I, the newly installed Pope, has called on Catholics to protect all humanity, “especially the poorest, the weakest, the least important, those whom Matthew lists in the final judgment on love: the hungry, the thirsty, the stranger, the naked, the sick and those in prison.” **If the Pope** really **wants to see** a world in which **all** people can **prosper, he needs to understand that the route** to that goal **is not** government **redistribution** of wealth or even private charity. **It is free markets**. Cry for Argentina **Consider his native** country of **Argentina**. **In the early twentieth century it was one of the top ten in GDP** and per capita income, giving rise to the saying “Rich as an Argentine.” It had first-world infrastructure—rail transport, electricity—thanks mainly to British capital, and a world-class agricultural sector, with its beef especially prized. Argentina was really a European country that just happened to be in South America. But **things went south with a military dictatorship** in the 1930s followed by the accession to power of the demagogue Juan Peron in 1945. He modeled the country’s economy after the “corporatism” pioneered by his recently-executed hero Benito Mussolini. **Government had a heavy hand in managing** the various sectors of **the economy**. When he was driven from power by another military coup, **his country’s economy was in shambles**. But in the following decades, the government never allowed true free markets to operate and the country went back and forth between unstable democracy and military juntas. So as the then-Archbishop Jorge Bergoglio of Buenos Aires, the now-new Pope was wrong to complain concerning his country that “the social-economic crisis and the resulting poverty has its causes in policies inspired by forms of neo-liberalism that considers earnings and market laws as absolute parameters, to the detriment of the dignity of persons and peoples.” In fact, the Heritage Foundation’s latest Index of Economic Freedom gave Argentina only a score of 46.7 out of 100, ranking it as the 160th freest economy. **Argentines don’t enjoy economic liberty**, “neo” or otherwise **but**, rather, **suffer under statism**. Perusing Peru If Pope Francis seeks economic salvation for the world, he might peruse The Other Path, the revolutionary 1987 book by Peruvian economist Hernando DeSoto. That author documented how in his own country the poor were kept in their place by government regulations that restricted economic freedom in order to protect corrupt vested interests. For example, DeSoto and his researchers found that it would take a poor Peruvian 289 days to get permission from the government to set up a small business with two sewing machines. To secure a piece of abandoned land would take nearly seven years. Because of heavy-handed regulations, the poor in Peru—and in most other less developed countries—simply operate in the “informal sector” or “black market.” Some 90 percent of the bus and public transportation in Lima was performed outside the law. Retail markets were mostly informal. So was housing construction. But while the informal sector affords the poor an opportunity to literally survive, it does not allow them to fully flourish. This is because their property and contracts are not protected by the law. So if Pope Francis wants to see the wealth-creating capacities of individuals unleashed, he should speak up loud and clear for private property rights in free markets. He might also read DeSoto’s follow-up book The Mystery of Capital, published in 2000, which details the legal structures needed to protect property. Moral challenge In his desire to help the poor, Pope **Francis** must face a moral challenge at the heart of his theology. Like his predecessors, this Pope is concerned about “materialism” and **speaks of self-sacrifice as the highest virtue. But are not better material conditions** just **what he wants for the poor?** But is it not “selfish” for the poor to desire such conditions and to seek them through their own honest efforts? Religions have always been at best confused on these goals. Perhaps deists two centuries ago might have argued that the “pursuit of happiness” was instilled in us by God and should be our highest goal as individuals. But that’s hardly what the Supreme Pontiff of the Catholic Church is proposing. Pope Francis will have to wrestle with these theological conundrums. But if he’s serious about seeing a world in which all can prosper, he needs to understand that **individuals acting in their own self-interest**, dealing with their fellows based on mutual consent, **is the way to** such **earthly salvation.**

### Mr. Rogers Good

Mr. Rogers teaches us the importance of unconditional love. That justifies util.

**Tomasik 13** writes[[93]](#footnote-93)

"I'm glad you're the way you are" Fred **Rogers ended many episodes of Mister Rogers' Neighborhood with the reminder that "people can like you exactly as you are,"** an expression he learned from his grandfather. Episode 1606 of the program featured Lady Aberlin singing to Daniel the following song: 'From a display in one of the terminals at Pittsburgh International Airport which contains artifacts from Mister Rogers' Neighborhood, which was filmed in Pittsburgh.' Image by Greg Dunlap from Stockholm, Sweden. (from https://en.wikipedia.org/wiki/File:Daniel\_Striped\_Tiger.jpg) This file is licensed under the Creative Commons Attribution 2.0 Generic license. I'm glad You're the way you are I'm glad You're you I'm glad You can do the things that you can do I like How you look I like the way That you feel I feel that you Have a right to be quite pleased with you I'm glad You're the way you are I think You're fine I'm glad You're the way you are The pleasure's mine It's good That you look the way you should Wouldn't change you if I could 'Cause I'm happy you are you. Importance of unconditional love Do these statements mean people shouldn't bother improving themselves? If others like them as they are, is there no incentive to get better at things? Well, it's possible that conditional love could force people to try harder in order to seek approval, but at what cost and for what benefit? I think the cost is big: If you're not certain that anyone loves you, life can seem very scary, hopeless, and pointless. And I think there are plenty of other factors motivating people to improve in areas that matter without trying to use love as another carrot and stick. When people are in a rough emotional situation, they may not even have the motivation or support to undertake self-improvement, and might either wallow in despair or seek approval in unproductive ways -- including, as the song hints, through trying to look more attractive on the outside. There's a time and place for incentives, but love by and for another person is one domain where trying to introduce incentives does more harm than good because of the nature of human psychology. Consider how popular the theme is in Christianity that God loves you no matter what: **This** is a powerful **idea** that **can transform people's lives**. Altruism as unconditional love I feel unconditional love for a person even at the same time that I might prefer him/her to be different. If the person is open to advice on changing, I'll suggest things, but at the same time, I feel that even if the person doesn't change, it's okay -- s/he is still a special individual whose feelings matter just the same. In my mind, **unconditional love is closely tied with util**itarianism**: When I realize that an organism feels happiness** and suffering**,** at that point **I realize that the organism** matters and **deserves care and** kindness. In this sense, you could say **the only "condition" of my love is sentience**. From "Then Your Heart is Full of Love" by Josie Carey Franz and Fred Rogers (1984): When your heart can sing another's gladness, Then your heart is full of love. When your heart can cry another's sadness, Then your heart is full of love. [...] When your heart has room for everybody, Then your heart is full of love. I'll close with another Fred Rogers song, possibly my favorite. It hints at this idea that the other person's feelings are the reason for our love of him or her. It's you I like, It's not the things you wear, It's not the way you do your hair-- But it's you I like. The way you are right now, The way down deep inside you-- Not the things that hide you, [...] I hope that you'll remember Even when you're feeling blue That it's you I like, It's you yourself, It's you, it's you I like.

Mr. Rogers is a role model—he teaches us important values

**FRC no date** writes[[94]](#footnote-94)

**A timeless collection of wisdom on love, friendship, respect, individuality, and honesty** from the man who has been a friend to generations of Americans. There are **few personalities** who **evoke** such **universal feelings of warmth as Fred Rogers**. An enduring presence in American homes for over 30 years, **his** plainspoken **wisdom continues to guide** and comfort **many**. The World According to Mister Rogers distills the legacy and singular worldview of this beloved American figure. An inspiring collection of stories, anecdotes, and insights--with sections devoted to love, friendship, respect, individuality, and honesty. The World According to Mister Rogers reminds us that there is much more in life that unites us than divides us.  Culled from Fred Rogers' speeches, program transcripts, books, letters, and interviews, along with some of his never-before-published writings, **The World According to Mister Rogers is a testament to** the legacy of **a man who** served and **continues to serve as a role model to millions.**

### Gandhi Bad

Gandhi was a racist.

**OFMI no date** writes[[95]](#footnote-95)

**Gandhi was passionately prejudiced towards black Africans**, as clearly displayed by his own writings over his 21-year stint in Gandhi’s writings during his 20 years in South Africa. **He** promoted racial hatred, in theory, and **campaigned for** racial **segregation**, in practice. **In his newspaper**, The Indian Opinion, **he frequently wrote diatribes against the black community**. Of particular concern to him was any contact between Indians and Africans. The following series of quotes, which is but a small selection of his extensive writings on the topic, documents Gandhi’s intense hatred for equal treatment of blacks and Indians, whether in culture or under the law. Indeed, his efforts to improve the status of the Indian community in South Africa were primarily focused on ensuring Africans were treated worse than Indians. His goal, thus was greater social inequality rather than universal equality. All **quotes** taken **from Collected Works of** Mahatma **Gandhi** (CWMG). Sept. 26, 1896: “Ours is one continual struggle against a degradation sought to be inflicted upon us by the Europeans, who desire to degrade us to the level of the raw Kaffir\* whose occupation is hunting, and whose sole ambition is to collect a certain number of cattle to buy a wife with and, then, pass his life in indolence and nakedness.” — Vol. 1, p. 410 Sept. 24, 1903: **“**We believe as much in the purity of race as we think they do… **We believe** also **that the white race of South Africa should be the predominating race.”** — Vol. 3, p. 256 Feb. 15, 1904: “Under my suggestion, the Town Council must withdraw the Kaffirs from the Location. About this mixing of the Kaffirs with the Indians, I must confess I feel most strongly. I think it is very unfair to the Indian population.” — Vol. 3, p. 429 Sept. 5, 1905: **“The decision to open the school for all Coloured children is unjust to the Indian community**, and is a departure from the assurance given… that the school will be reserved for Indian children only**.”** — Vol. 4, p. 402 Sept. 2, 1907: “From these views expressed by a White we have a lesson to learn: We must encourage the Whites too. It is a short-sighted policy to employ, through sheer niggardliness, a Kaffir for washing work. If we keep in view the conditions in this country and patronize the Whites, whenever proper and necessary, then every such White will serve as an advertisement for the Indian trader.” — Vol. 6, p. 276 Feb. 29, 1908: “The British rulers take us to be so lowly and ignorant that they assume that, like the Kaffirs who can be pleased with toys and pins, we can also be fobbed off with trinkets.” — Vol. 8, p. 167 Mar. 7, 1908: “We were all prepared for hardships, but not quite for this experience. We could understand not being classed with the whites, but to be placed on the same level with the Natives seemed too much to put up with.” — Vol. 8, p. 198

### Gandhi 🡪 Jesus 🡪 Util

Gandhi would default to Jesus. He represents the perfection of all virtues.

**Mahatma Gandhi** writes[[96]](#footnote-96)

[All ellipses were in the original text.] Love is the strongest force the world possesses. And yet it is the humblest imaginable. The more efficient a force is, the more silent and subtle it is. Love is the subtlest force in the world. **When I read the Sermon on the Mount, especially such passages as ‘Resist not evil,’ I was simply overjoyed** and found my own opinion confirmed where I least expected it. **The message of Jesus Christ**, as I understand it, **is contained in the Sermon on the Mount**… which competes, on almost equal terms, with the Bhagavad Gita for the domination of my heart. It is **that sermon which had endeared Jesus to me. The gentle figure of Christ, so patient, so kind, so loving, so full of forgiveness that he taught his followers not to retaliate when abused** or struck **but to turn the other cheek… it was a beautiful example**, I thought, **of the perfect man.**

Jesus devolves to util. **Mill 63** writes[[97]](#footnote-97)

I must again repeat, what the assailants of utilitarianism seldom have the justice to acknowledge, that the happiness which forms the utilitarian standard of what is right in conduct, is not the agent’s own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. **In the golden rule of Jesus** of Nazareth, **we read** the complete spirit of the ethics of **util**ity. **To** do as you would be done by, and to **love your neighbour as yourself, constitute[s]** the ideal perfection of **util**itarian morality. As the means of making the nearest approach to this ideal, **util**ity **would enjoin**, first, **that laws** and social arrangements **should place the happiness**, or (as speaking practically it may be called) the interest, **of every individual**, **as nearly as possible in harmony with the interest of the whole**; and secondly, that education and opinion, which have so vast a power over human character, should so use that power as to establish in the mind of every individual an indissoluble association between his own happiness and the good of the whole; especially between his own happiness and the practice of such modes of conduct, negative and positive, as regard for the 20/John Stuart Mill universal happiness prescribes; so that not only he may be unable to conceive the possibility of happiness to himself, consistently with conduct opposed to the general good, but also that a direct impulse to promote the general good may be in every individual one of the habitual motives of action, and the sentiments connected therewith may fill a large and prominent place in every human being’s sentient existence. If the, impugners of the utilitarian morality represented it to their own minds in this its, true character, I know not what recommendation possessed by any other morality they could possibly affirm to be wanting to it; what more beautiful or more exalted developments of human nature any other ethical system can be supposed to foster, or what springs of action, not accessible to the utilitarian, such systems rely on for giving effect to their mandates.

# Kritik 1NC v Moral Authorities

## Off Case

### Pomo K

The affirmative’s modern approach to truth is meaningless; it seeks to impose order on a fundamentally chaotic universe. **Gough 5** writes[[98]](#footnote-98)

[Brackets in original] Some literary critics see the detective story as the characteristic genre of modernist storytelling. For example, Brian McHale argues that modernist ﬁction usually involves ‘a quest for a missing or hidden item of knowledge’ (1992: 146) and that ‘a modernist novel looks like a detective story’, centrally concerned with ‘problems of the accessibility and circulation of knowledge, the individual mind’s grappling with an elusive or occluded reality’ (1992: 147). **The detective is the archetypal modernist subject, a** quest(ion)ing **‘cognitive hero’**,an ‘agent of recognitions . . . reduced synecdochically to the organ of visual perception, the (private) eye’ (1992: 147), **seeking to understand a uniﬁed and objective world.** The postmodern turn in detective ﬁction (which may have preceded an analogous transformation of social research) is signalled by the emergence of ‘anti-detective’ stories that evoke the impulse to ‘detect’ in order to frustrate it by refusing to solve the crime. One of the most celebrated anti-detective stories is Umberto Eco’s The Name of the Rose (1983) which takes some well-known examples of generic detective ﬁction as its intertextual models, but – as Eco himself puts it – ‘is a mystery in which very little is discovered and the detective is defeated’ (1984: 54). In The Name of the Rose, Eco uses the form of detective ﬁction to deconstruct, disrupt and undermine the rationality of the models of conjecture conventionally provided by the form – which is why, as Eco writes, his ‘basic story (whodunit?) ramiﬁes into so many other stories, all stories of other conjectures, all linked with the structure of conjecture as such’ (1984: 57). Eco provides a physical model of conjecturality in the abbey’s labyrinthine library but also demonstrates that his detective – William of Baskerville – cannot decipher the complex social milieu of the abbey by assuming that it has a comparably logical (albeit complicated) structure. Following Deleuze and Guattari (1987),Eco likens ‘the structure of conjecture’ to the inﬁnite networks of a rhizome rather than to the ﬁnite and hierarchical roots and branches of a tree: **The rhizome is so constructed that every path can be connected with every other one. It has no center, no periphery**, no exit, **because it is potentially inﬁnite.** The space of conjecture is a rhizome space . . . **the world** in which William realizes he is living already **has a rhizome structure:** that is, **it can be structured but** is **never** structured **deﬁnitively** . . . it is impossible for there to be a story. (1984: 57–8) Thus the anti-detective story not only subverts the rationality of the investigatory methods modelled by conventional detective ﬁction but also denies the defensibility of the dominant cultural expectations that animate such enquiries, namely ‘the longing for ‘‘one true story’’ that has been the psychic motor for [modern] Western science’ (Harding, 1986: 193). Eco’s story of William’s ‘failure’ as a (modernist) detective is riddled with implicit and explicit references to postmodernist inquiry strategies, as in the following conversation between William and his ‘Watson’, Adso: ‘What I did not understand was the relation among signs . . . I behaved stubbornly, pursuing a semblance of order, when I should have known well that **there is no order in the universe.**’‘But in imagining an erroneous order you still found something . . .’ ‘What you say is very ﬁne Adso, and I thank you. The **order that our mind imagines is like a** net, or like a **ladder**, built to attain something. But afterward **you must throw the ladder away, because you discover that, even if it was useful, it was meaningless** . . . The only truths that are useful are instruments to be thrown away.’ (1983: 492) The Name of the Rose is itself such an ‘erroneous order’, which Eco emphasizes by using metaﬁctional narrative strategies to expose its status as ﬁction and draw attention to the processes by which it is constructed both as a world to be explored and the means of its own exploration. Thus the more appropriate models for postmodernist social researchers are not detectives like Sherlock Holmes, Miss Marple, Philip Marlowe or Kate Fansler, but authors like Umberto Eco. **Our work is to fathom the mysteries we inscribe.**

The aff’s imposition of order is part and parcel of their strict insistence on tradition. Upholding tradition promotes authoritarian and dogmatic forms of thought. Critical self-reflection that calls tradition into question is essential to freedom.

**Kim 11** summarizes Habermas[[99]](#footnote-99)

This early work anticipates aspects of his later theory insofar as it ties together the empirical and the transcendental (Habermas, 1986a:197). As we saw in Section 4.3 universal pragmatics has a similar structure: everyday language (the empirical) and a counterfactually presupposed set of validity claims (the ‘transcendental’). The concept of knowledge-constitutive interests are, in Habermas’s language, ‘quasi-transcendental’ (Held, 1980:255). The three knowledgeconstitutive interests correspond to three domains of social life: labour (empirical-analytical), language (historical-hermeneutic), and what might be more vaguely described as ‘emancipation’ (critical reflection). This third domain – **critical reflection** – is articulated as **the emancipatory interest in overcoming authoritarian and dogmatic structures of thought** and action (Held, 1980:255). Since this is central to Habermas’s critique of Gadamer I will focus on it here. Essentially, it may be stated that critical reflection has the aim of recreating a 104completely uninhibited subjectivity. Habermas states that, ‘this interest can only develop to the degree to which repressive force, in the form of the normative exercise of power, presents itself permanently in structures of distorted communication – that is to the extent that domination is institutionalised’ (Habermas, 1973b:9). Habermas links the emancipatory interest to critical reflection and argues that **critical reflection not only unveils** the **concealed ‘structures of distortion’, but dissolves** the **‘effects of distortion’** (Sinclair, 2005:230). Hence Habermas endorses the importance of the emancipatory characteristic of critical reflection as follows: The experience of reflection articulates itself substantially in the concept of a selfformative process. Methodologically it leads to a standpoint from which the identity of reason with the will of reason freely arises. In self-reflection, knowledge for the sake of knowledge comes to coincide with the interest in autonomy and responsibility. For the pursuit of reflection knows itself as a movement of emancipation. Reason is at the same time subject to the interest in reason. We can say that it obeys an emancipatory cognitive interest which aims at the pursuit of reflection. (Habermas, 1982:198) Habermas asserts that epistemology is only possible as social theory; moreover, critique is viable only in instances where ‘reason is at the same time subject to the interest in reason’ (Habermas, 1973b:198). In other words, reason that is not tied to human interests – or awareness of human interests – cannot serve the end of emancipation. In his later work this is expressed in the idea of communicative reason, as distinct from strategic reason: in becoming aware that we raise validity claims we also become aware of the emancipatory potential of reason. Habermas further maintains that ‘the hypothetical construct which I will call knowledge-constitutive or knowledge-guiding interest is supposed to enable us to understand the systematic (though conditional) embeddedness of discursively produced theoretical knowledge in the practice of a form of life which can only reproduce itself with the aid of potentially true statements’ (Habermas, 1973a:180-181). To explain: there is a mutual entanglement of truth and social life. Scientific practices are embedded in social life, but society must be guided by the pursuit of truth. Habermas is not, of course, concerned exclusively with Gadamer, but his notion of **‘critical self-reflection’**, tied to knowledge-constitutive interests, **is central to** his **critique of Gadamer**ian hermeneutics. So what exactly is ‘critical self-reflection’? Habermas refers to Hegel’s Phenomenology of Spirit by suggesting that it is ‘the critical dissolution of subjectively constituted pseudo-objectivity’ whereby, **through gaining** an **understanding of** the 105**delusions of ‘false consciousness’,** an individual is able to ‘emancipate itself from itself’ (Habermas, 1973a:182-183). **Critical self-reflection is** then the **dissolution of historically produced reifications of consciousness, which is precisely what** Habermas thinks **Gadamer is engaged in through** his **positive evaluation of tradition, and** the **prejudices that underlie tradition**. The only way that such reifications can be dissolved is through communicative action, although Habermas only gradually formulated a theory that embodied the emancipatory potential of language.

Academic spaces are poisoned by metanarratives; the aff seeks to justify pre-existing traditions through transcendental truths about moral identity. The aff has elevated what society lets us say to the pedestal of objective representation

**Peters 95** writes[[100]](#footnote-100)

Lyotard then defines postmodern as "incredulity toward metanarratives," a distrust of "stories" that purport to justify certain practices or institutions by grounding them upon a set of transcendental, ahistorical, or universal principles. This incredulity is a product, Lyotard maintains, of progress in the sciences, specifically, a change in the way we practice science. Here Lyotard is linking up and referring in an anecdotal way to the crisis in metaphysical philosophy, pointed to in the English-speaking world by the historical theories of Thomas Kuhn and Paul Feyerabend. It seems, however, that Lyotard takes such theories as indicating that we actually conduct scientific research in a way different from the one used by those who practiced science in the Newtonian period, rather than thinking of the recent debunking of the empiricist model of science as simply repudiating a bad account. [32](http://www.questia.com/9637590)  **The metanarrative provided by** the "crowning" science of **speculative philosophy legitimated the university** institution that was modeled **along principles of emancipationist humanism.** **Youth from the liberal élite-"the heroes of knowledge"--were trained in** the great task of **pursuing good ethico-political ends and** leading their countries toward **social progress.** This is part of the legacy of the Enlightenment narrative now under scrutiny: "To the obsolescence of the metanarrative apparatus of legitimation corresponds, most notably, the crisis of metaphysical philosophy and of the university institution which in the past relied on it." [33](http://www.questia.com/9637590)  **The crisis of metaphysical philosophy and the bankruptcy of ahistorical** theories of **justification are linked** up, by way of an aesthetic thematic in Lyotard's work, **with the** so-called **crisis of representation, in which an essentially realist epistemology based on a mirror theory of knowledge** and art **conceives of representation as the reproduction of an external reality.** English-speaking readers will recognize the theme as it has been recently explored by the American "pragmatist" Richard Rorty in his reworking of the history of modern analytic philosophy. [34](http://www.questia.com/9637590) Beginning his interpretation with a quotation from Wittgenstein Vermischte Bemerkungen, which likens progress in philosophy to the finding of a remedy for itching, a physicianlike Rorty diagnoses modern analytic philosophy as simply one more variant of Kantian philosophy that is distinguished from its parent predecessor by its thinking of representation in linguistic terms and of philosophy of language as exhibiting the "foundations of knowledge." Significantly, **Rorty** argues for a position termed "epistemological behaviorism," which **explains rationality and epistemic authority by reference to what society lets us say rather than vice versa. Divested** of the **captivating mirror imagery, philosophy can** then **be seen** simply **as part of the social** practice of **conversation.**

3 impacts.

a. The aff’s approach to philosophy is self-undermining; in its abstraction, modern philosophy is subordinated to existing power structures based on grand narratives of efficiency. The kritik is not a rejection of truth, rather modernity’s abstract understanding of it, divorced from social context. **Peters 95** writes[[101]](#footnote-101)

A similar scenario can be plotted for education--the transmission of knowledge--which is also to be legitimated in terms of the performative (i.e., efficiency) criterion. It is at this point that Lyotard answers the questions that pertain to a university policy (mentioned in the introduction of this article). **The goal for the university becomes** its **optimal contribution to** the best performance of **the social system.** This goal demands the creation of two kinds of skills indispensable to the maintenance of the social system: Those necessary to enhance competitiveness in the world market and those necessary for fulfilling the need for its internal cohesion. The first, Lyotard predicts, will lead to the growth of demand for middlemanagement executives in leading sectors and priority in education being given to any discipline that can demonstrate an applicability to training in "telematics" (computer science, sybernetics, mathematics, and so on). The second, within the context of delegitimation, will no longer regard the transmission of knowledge as the training of an elite capable of guiding society toward its emancipation but will simply "supply the system with players capable of acceptably fulfilling their roles at the pragmatic posts required by its institutions." [60](http://www.questia.com/9637591)  Accordingly, **two categories of students will emerge** more strongly**, those who reproduce the technical and the professional intelligentsia.** In addition to its professionalist function, **the university will** come also to improve the system's performance through an increasing role in the realms of job retraining and continuing education. There is a changing emphasis from transmitting knowledge en bloc to young people before they join the workforce to one that serves working adults, à la carte, to help them improve their skills and widen occupation horizons. 35 The general effect of the performativity principle is to **subordinate** the institutions of **higher learning to the existing power**, that is, **in terms of legitimating myths, subordinating truth** (as it figures in the emancipatory narrative) **to efficiency and power.** Lyotard writes: The notion of "university franchise" now belongs to a bygone era. The "autonomy" granted the universities after the crisis of the late 1960's has very little meaning given the fact that practically nowhere do teachers' groups have the power to decide what the budget of their institution will be; all they can do is allocate the funds that are assigned to them, and only then as the last step in the process. [61](http://www.questia.com/9637591)  New technologies will alter the medium of the transmission of knowledge--almost a truism in the postmodern age--and elementary training in informatics may become a compulsory requirement in the same way as a foreign language proficiency was/is a requirement in the modern university. Replacement of teachers by machines and technicians is only repugnant within the old master narrative of emancipationist humanism: **The question** (overt or implied) **now asked by the** professional **student**, the State, or institutions of higher education **is no longer "Is it true?" but** "What use is it?" In the context of the mercantilisation of knowledge, more often than not this question is equivalent to: **"Is it saleable?"** And in the context of power-growth: "Is it efficient?" [62](http://www.questia.com/9637591)

This lends way to technocracy, which homogenizes the world and guarantees violence. Technocracy is epistemologically problematic; it relies on a false objectivity.

**Lyotard 79** writes[[102]](#footnote-102)

At risk of scandalizing the reader, I would also say that the system can count severity among its advantages. Within the framework of the power criterion, a request (that is, a form of prescription) aims nothing in legitimacy by virtue of being based on the hardship of an unmet need. Rights do not flow from hardship, but from the fact that the alleviation of hardship improves the system's performance. The needs of the most underprivileged should not be used as a system regulator as a matter of principle: since the means of satisfying them is already known, their actual satisfaction will not improve the system's performance, but only increase its expenditures. The only counterindication is that not satisfying them can destabilize the whole. It is against the nature of force to be ruled by weakness. But it is in its nature to induce new requests meant to lead to a redefinition of the norms of "life."218 In this sense, the system seems to be a vanguard machine dragging humanity after it, dehumanizing it in order to rehumanize it at a different level of normative capacity. **The technocrats** declare that they cannot trust what society designates as its needs; they **"know" that** **society cannot know its own needs** since they are not variables independent of the new technologies.219 **Such is the arrogance of** the **decision makers-and their blindness.** What their "arrogance" means is that **they identify themselves with** the social system conceived as a **totality in quest of** its most **performative unity** possible. If we look at the pragmatics of science, we learn that such an identification is impossible: in principle, no scientist embodies knowledge or neglects the "needs" of a research project, or the aspirations of a researcher, on the pretext that they do not add to the performance of "science" as a whole. The response a researcher usually makes to a request is: "We'll have to see, tell me your story.” In principle, he does not prejudge that a case has already been closed or that the power of "science" will suffer if it is reopened. In fact, 'the opposite is true. Of course, it does not always happen like this in reality. Countless scientists have seen their "move" ignored or repressed, sometimes for decades, because it too abruptly destabilized the accepted positions, not only in the university and scientific hierarchy, bur also in the problematic.221 **The stronger the "move," the more likely it is** to be **denied** the minimum **consensus,** precisely because it changes the rules of the game upon which consensus had been based. But when **the institution of knowledge** functions in this manner, it **is** acting like an ordinary power center whose behavior is **governed by** a principle of **homeostasis.** Such behavior is terrorist, as is the behavior of the system described by Luhmann. By terror I mean the efficiency gained by eliminating, or threatening to eliminate, **a player** from the language game one shares with him. He **is silenced** or consents**, not because he has been refuted, but** because **his ability to participate has been threatened** (there are many ways to prevent someone from playing), **The decision makers' arrogance**, which in principle has no equivalent in the sciences, **consists in** the exercise of **terror.** It says: **"Adapt your aspirations to our ends-or else.”**

b. Modernity makes extinction inevitable. Their metanarrative of progress is disastrous for the biosphere. The alternative allows for rethinking our understanding of the environment. **White 98** writes[[103]](#footnote-103)

**The project of modernity** – from the Gaian viewpoint of Lovelock, the colonization of the earth – conceivably **entails** no less than **splitting the biosphere itself, and so** human **extinction, as the final product of progress.** As Bateson argues, **we can destroy the world with the best of intentions.** Consider the ecological notion, articulated by Bateson, that **the “unit of survival” is not**, as Darwinism postulates, the individual organism, or species, **as social Darwinism would have it, entrepreneur, or** enterprise or nation or **class – a view** that leads to the further, modernist assumption **that** the survival unit, **“man,” must** struggle against and **attempt to dominate nature**, or “we” must overcome “them,” using the most efficient means at his/our disposal. What tenaciously lives is, instead, a heterogenous pattern involving both “organism” and “environment,” “us” and “them.” At Bateson argues, “**the unit of survival is a flexible organism-in-its environment**” (457). Or, as Heidegger would say, living is “being open”, Dasein. What does not live for long in evolutionary ecology is a “species” that embodies the modernist paradigm: It is now empirically clear that Darwinian evolutionary theory contained a very great error in its identification of the unit of survival under natural selection. The unit which was believed to be crucial and around which the theory was set up was either the breeding individual or the family line or the sub-species or some similar homogenous set of conspecifics. Now I suggest that the last hundred years have demonstrated empirically that if an organism or aggregate of organisms sets to work with a focus on its own survival and thinks that is the way to select its adaptive moves, its **“progress” ends up with a destroyed environment.** If the organism ends up destroying its environment, it has in fact destroyed itself. (457) **The word “species”** is the English form of the Latin species, which **is** in turn **the translation of the Greek** idea, the word, often rendered in English as **“Form,” as the basis of Plato’s theory of** Forms and of Aristotle’s natural kinds. The Forms are the objects of **knowledge** as well as the organizing divisions of the world, the archetypes or in modern terms “geno-types” on which the phenotypes of natural entities are patterned. **A rational account of nature was called logos,** and indeed Aristotle formalized the principles of correct reasoning as “logic.” The Socratic intellect evident in Plato’s Dialogues subjected the “storis” (muthoi, “myths”) of the Homeric tradition, to rational analysis, **subordinating** mythos to logos, or **myth to logic** (see Nestle, Havelock).Stories, or myths, are arguably encoded in a fashion similar to the ecologies of organisms and, though some Darwinists might scoff, **evolution might be described**, so Bateson thinks, **as a kind of story.**

c. The aff’s normative visions are utopian. Their speech act is one of mastery of knowledge, but promotion of rational understanding has failed to save us from violence and oppression. As long as we cling to the aff’s linear and simplistic understanding of history and progress, modernity’s latent side-effects can’t be addressed.

**Best and Kellner 98** write[[104]](#footnote-104)

Generally characterized, the project of modern politics was to define and implement universal goals like freedom, equality, and justice, in an attempt to transform institutional structures of domination. Modern politics emerged from the Enlightenment project of subjecting to critique by the norms of reason all forms of authority and all existing institutions. Modern politics presupposed a democratic public sphere where individuals and social groups could discuss political problems and choices, and intervene practically in public affairs. **Modern politics involved attempts to discern basic human rights, the common good and universal values, and** to **provide institutional guarantees** that allow democratic rights, discussion, and consensus. Thus, **the American Revolution declared** the **universal rights of "all people" to be "self-evident truths"** as **revealed by** the light of **Reason.** The French Revolution championed the universal "Rights of Man" on the basis of liberty, egality, fraternity and Mary Wollstonecraft published a treatise Vindication of the Rights of Women shortly thereafter .[2] Attempting to realize these universal appeals beyond the limiting context of bourgeois class relations, Marx urged that the "Workers of the World Unite!" to create an international politics of solidarity designed to overthrow bourgeois property forms. In the Americas and then in Africa, Asia, and throughout the non-Western world, national liberation movements emerged which challenged colonialism and sought to bring the promises of modern democracy and liberty to areas of the world sunk in oppression. Simon Bolivar's struggles for Latin American freedom, the slave revolts of the Caribbean, and Jose Marti's vision of Nuestra America , free of colonial domination, articulated the yearnings unleashed by the modern project and attempts to realize its promises, where later liberation movements claimed that only socialism can redeem the sufferings of the "wretched of the earth" and realize the promises of modernity. **Yet the** promises and **yearnings of modernity** and modern politics **were seldom realized. Workers were exploited** throughout the modern epoch **by** rapacious **capital; women** were only able to gain full democratic rights by the early decades of the 20th century and **continued to suffer patriarchal domination; people of color were systematically discriminated against** by the forces of racism**; and** the **developing countries continued to be oppressed by** the **imperialist powers. Despite** war, poverty, hunger, economic depression, and fierce forms of **subjugation and suffering, modern politics was optimistic** in its outlook; indeed, **it was** often **religious in its** **teleological faith that the progressive logic of history would soon be realized.** Enlightenment faith in a better future inspired liberalism and Marxism alike. Thus, modern politics was informed by strong normative values and utopian visions of a world of universal freedom, equality, and harmony.

The alternative is to embrace language games. Prescriptive statements within the debate space cannot be considered foundationally true representations but “moves” in a game that change the game itself. This is the only way to resist the worst forms of technocratic violence. **Peters 95** writes[[105]](#footnote-105)

It is clear that at the heart of Lyotard's position is a playful reading of the later Wittgenstein, which emphasizes the pluralistic nature of language games. **Each** of the various types of **utterance**--denotative, prescriptive, performative, and so on--**comprises a language game** with its own body of rules defining its properties and uses. The rules are irreducible, and there exists an incommensurability among different games. Lyotard adds three further observations about language games. First, **the rules** do not have a bedrock justification, nor do they **carry** with themselves **their own legitimation.** Where Wittgenstein might say that they are constituted by agreement in practice, Lyotard says **they are the object of a contract**, explicit or not, **between players.** Second, "if there are no rules there is no game"; and third, "**every utterance should be thought of as a 'move' in a game.**" [41](http://www.questia.com/9637591) Two principles underlie the method as a whole: "To speak is to fight, in the sense of playing, and speech acts fall within the domain of a general agonistics." [42](http://www.questia.com/9637591) As Fredric Jameson explains, utterances are not conceived of either as a process of the transmission of information or messages, or a network of signs, or signifying systems (structuralism, semiotics); rather, they are seen as an agonistics of language, as an unstable exchange between communicational adversaries. [43](http://www.questia.com/9637591) The example Lyotard uses is that of playing cards: a "move" in the game is like the taking (or trumping) of a trick. The second principle elevates this conflictual view of language as a model for understanding the nature of the social bond (and science itself). While there are many different language games, Lyotard asserts, and each of us lives at the intersection of many of these, the **decision makers** proceed on the assumption that there is commensurability and common ground among them and that the whole is determinable. They **allocate our lives for** the growth of **power**. In matters of social justice **and** scientific truth alike, the legitimation of that power is based on its optimising the system's performance--**efficiency.** The **application of this criterion to all of our games** necessarily **entails** a certain level of **terror**, whether soft or hard**: be operational** (that is, commensurable) **or disappear.** [44](http://www.questia.com/9637591)  In a later work, Lyotard more openly acknowledges his intellectual debt to the later Wittgenstein. Taking his cue from Theodor Adorno, he champions the "micrologic" in opposition to the speculative--the grand narrative of Hegelian philosophy--and asserts that "another perspective has been opened up through which it may be possible to measure up to the crisis [of metaphysics] and the reflective response it demands. This perspective is pointed to notably in the Philosophische Untersuchungen and Zettel, under the programmatical name of Sprachsielen." [45](http://www.questia.com/9637591)  Lyotard proceeds to argue for his interpretation and to enumerate characteristics of the language game: The concept has its home in the language game; the language game is to be taken in the plural (they are "numerous, even unnumerable"); the rules of various language games are irreducible to one another; a sentence is a move in the game and can establish a new rule (and so a new game). He claims, "We are worlds away from necessary linkages, but are at the heart of equivocity," an equivocity "such that the task of expressing it . . . runs into an indefinite number of series of other moves belonging to an irreducibly heteronomous multiplicity of games." [46](http://www.questia.com/9637591)  Lyotard's interpretation of the **language games** as heteronomous ("the untranslatability of one game into another") and paralogous ("the search for the limit between the tolerable and the intolerable by way of moves lacking any given model") **shatter**s **the grand** legitimating **metanarrative of science as the supreme voice of reason.** Lyotard writes: "**Science plays its own game; it is incapable of legitimating** the **other language games**. The game of prescription, for example, escapes it. But above all it is incapable of legitimating itself, as speculation assumed it could." [47](http://www.questia.com/9637591)  For Lyotard there is no principle of unitotality; there is no universal metalanguage. The reality is that there are many languages and, as Wittgenstein argued ( Lyotard notes), new languages are added to the old ones, like suburbs of an old town. Lyotard acknowledges Wittgenstein's examples of the symbolism of chemistry and the notation of infinitesimal calculus. Less than fifty years on, he argues, we can substantially add to the list: Lyotard mentions the growth of machine languages, the matrices of game theory, new systems of musical notation, systems of notation for nondenotative forms of logic, the language of the genetic code, graphs of phonological structures, and so on. [48](http://www.questia.com/9637591)  **The proliferation and splintering of language games, which prevents** an **overall mastery, allows him to claim that "**speculative or **humanistic philosophy is forced to relinquish its legitimation duties**, which explains why philosophy is facing a crisis wherever it persists in arrogating such functions and is reduced to the study of systems of logic or the history of ideas where it has been realistic enough to surrender them." [49](http://www.questia.com/9637591)

The alternative is not a form of nihilism but improves upon Enlightenment ideals, so it’s a comparatively better way of engaging in moral reasoning.

**Best and Kellner 98** write[[106]](#footnote-106)

According to Mouffe, Enlightenment universalism was instrumental in the emergence of democratic discourse, but "it has become an obstacle in the path of understanding those new forms of politics, characteristic of our societies today, which demand to be approached from a nonessentialist perspective. Hence, the necessity of using the theoretical tools elaborated by the different currents of what can be called the postmodern in philosophy and of appropriating their critique of rationalism and subjectivism."[6] Universal values are not entirely abandoned -- e.g., the concept that everyone has certain rights -- but they enter into a "new kind of articulation" with particular values and a logic of irreducible difference. Yet for this postmodern politics, the **rejection of** essentialism and lack of solid **"foundations" does not entail nihilism** or the abandonment of the global political project. As Laclau puts it: Abandonment of the myth of foundations does not lead to nihilism**, just as uncertainty as to how an enemy will attack does not lead to passivity. It leads**, rather, **to** a **proliferation of discursive interventions** and arguments that are necessary, **because there is no extradiscursive reality that discourse might simply reflect.** Inasmuch as argument and discourse constitute the social, their open- ended character becomes the source of a greater activism and a more radical libertarianism. **Humankind, having always bowed to external forces** -- God, Nature, the necessary laws of History -- **can** now, at the threshold of postmodernity, **consider itself** for the first time thecreator and **constructor of its own history.** The dissolution of the myth of foundations -- and the concomitant dissolution of the category `subject' -- further radicalizes the emancipatory possibilities offered by the Enlightenment and Marxism.[7]The **shift to** a **postmodern logic**, in other words, **leads to "**an **awareness of** the **complex strategic-discursive operations implied by** [the] **defense" of Enlightenment values**.[8] Thus, for Laclau and Mouffe postmodern philosophy and social theory do[es] not entail a rejection of key political commitments to modernity itself. For them, **nothing in the radical political project is lost** with the rejection of foundationalism **and everything is gained through** the **liberating effects of a new logic of difference and contingency.** In Mouffe's words, "far from seeing the development of postmodern philosophy as a threat, **radical democracy welcomes it as** an **indispensable** instrument in the accomplishment of its goals."[9] To speak ironically, we could say that the postmodern critique puts the modern project on even firmer "grounds" than Enlightenment rationality, insofar as its values are not simply dogmatically stated, but are given pragmatic and consensual grounds of justification. Hence, their approach is very similar to that of Habermas, who sees the Enlightenment as an "unfinished project" and seeks communicative grounds of normative justification, with the key difference that Laclau and Mouffe believe that postmodern theory has radical democratic potential, whereas Habermas believes that it weakens the Enlightenment tradition and aids irrationalist, conservative, traditions.

No perms—the aff’s representations of tradition aren’t conducive to a genuine language game

**Kim 11** summarizes Habermas[[107]](#footnote-107)

In Habermas’s view Gadamer adopts a perspective on tradition and language which places too much weight on empirical agreement, as distinct from ‘coming to an understanding’ from a standpoint of equality. Furthermore, ‘understanding’ and ‘interpretation’ are, Habermas suggests, analytically distinct, but Gadamer fails to explain or even acknowledge this fact (Holub, 1991:46). Subsequently, there is present **in Gadamer’s work** an uncritical ‘nostalgia’ and **the concept of ‘understanding’ is so hermeneutically rooted that social criticism is impossible** (Kaplan, 2003:41). **Gadamer**, in effect, **reifies social life, viewing tradition as an ‘objective’ context** (Habermas, 1986b:313). The relation that Gadamer posits between understanding and prejudice, authority, and tradition is characterised by the assimilation and preservation of conventional and existing norms: ‘Gadamer, if I am correct, is of the opinion that the hermeneutical elucidation of unintelligible or misunderstood expression must refer back to a prior consensus which has been reliably worked out in the dialogue of a convergent tradition.’ (Habermas, 1986b:313). With this in mind, it is clear that Habermas links Gadamer with traditional hermeneutics, which saw its task as the avoidance of misunderstanding. Tradition is thus considered to be ‘objective for us, in the sense that it cannot be confronted with a claim to truth in principle’ (Habermas, 1986b:313). **As a result of the account of** the inherently prejudiced character of all **understanding provided by Gadamer, it is not only impractical to question** the **consensus** around tradition **but also pointless** (Habermas, 1986b:313). In Habermas’ view, Gadamer has ‘further used hermeneutical insight into the prejudicial structure of understanding to restrict the quest for enlightenment to the horizon of prevailing convictions’ (Habermas, 1986b:316): **We have good reason to suspect that** the **background consensus of established traditions** and language games **can be a consciousness forged of compulsions, a result of pseudo-communication**, not only in the pathologically isolated case of disturbed familial systems, but **in entire social systems** as well. The **freedom of movement of a hermeneutical understanding** widened into critique, **therefore, ought not to be linked to** the free play available within the tradition and **prevailing convictions**. (Habermas, 1986b:317)

You should adopt a mindset of epistemic suspicion toward the aff’s totalizing moral claims. Epistemic suspicion prioritizes the question of the kritik over the advocacy of the affirmative. This approach is best because it leads to a pragmatic ethics which revitalizes the public sphere.

**Seidman 94** writes[[108]](#footnote-108)

This **epistemic suspicion is at the core of postmodernism.** Postmodernists challenge the charge of theory as a foundational discourse. The postmodern critique does not deny the possibility of success in the quest for foundations. I urge **only** that **from the** standpoint of the history of such foundational efforts, and from the **vantage point of modern consciousness**, which itself has generated this relentless epistemic doubt, **this project does not seem** compelling or **credible.** Aside from this epistemic doubt, there are practical and moral reasons to consider in assessing the value of the foundational project. Postmodernists view such discourses as exhibiting a bad faith: concealed in the will to truth is a will to power. To claim that there are universal and objective reasons to warrant a social discourse, to claim that a discourse speaks the language of truth, is to privilege that discourse, its carriers, and its social agenda. Insofar as we believe that social discourses are social practices which, like other social forces, shape social life and history, **privileging a discourse as true authorizes its social** values and **agenda** (Brown 1990). Social discourses, especially the broad social narratives of development produced by sociological theorists, but also the specialized discourses produced by demographers, criminologists, organizational sociologists, and so on, shape the social world **by creating normative frameworks of** racial, gender, sexual, national, and other types of **identity,** social **order, and institution**al functioning **that carry the** intellectual and social **authority of science**. A discourse that bears the stamp of scientific knowledge gives its normative concepts of identity and order an authority **while discrediting** the social agendas produced by **other** (scientific and nonscientific) **discourses.** To claim to have discovered the true language of society delegitimates rival paradigms - now described as merely ideological or, at best, as precursors - and their social agendas and carriers. It entails a demand to marginalize or withdraw privilege and its rewards from these rivals. Indeed, to claim epistemic privilege for a social discourse is to demand social authority not only for its social agenda but also for its producers and carriers. To assert that a social discourse speaks a universally valid language of truth confers legitimacy on its social values and its carriers. In a word, the politics of epistemology is bound up with social struggles to shape history. **When one appeals solely to the truth of a discourse** to authorize it intellectually and socially**, one represses reflection on its practical-moral meaning and** its **social consequences**. A discourse that justifies itself solely by epistemic appeals will not be compelled to defend its conceptual decisions on moral and political grounds. The practical and moral significance of the discourse will go unattended or else will be considered only in the most cursory way. On the other hand, if theorists - as postmodernists - believe that all appeals to universal standards or justificatory strategies are not ultimately compelling, they will be forced to offer "local" moral, social, and political reasons for their conceptual decisions. Disputes between rival theories or conceptual strategies would not concern epistemic first principles - e.g., individualism versus holism, materialism versus idealism, micro-versus macro-level analysis, instrumental versus normative concepts of action and order. Instead theorists would argue about the intellectual, social, moral, and political consequences of choosing one conceptual strategy or another. **A pragmatic turn** has distinct advantages. It **expands the number of parties who may participate** more or less **as equals in** a **debate about society. Where** a **discourse is redeemed** ultimately **by metatheoretical appeals,** experts step forward as the authorities. This situation contributes to the enfeeblement of a vital public realm of moral and political debate because **social questions are deemed the domain of experts.** By contrast, **when** a **discourse is judged by its practical consequences** or its moral implications**, more citizens are qualified to assess** it by considering **its social and moral implications**. A pragmatic move, in principle, implies an active, politically engaged citizenry participating **in a democratic public realm**. Postmodernism contests a representational concept of science whose legitimacy hinges on an increasingly cynical belief in science's enlightening 126 Steven Seidman and empowering role. This Enlightenment legitimation obscures the social entanglement of the disciplines and permits them to abandon moral responsibility for their own social efficacy. Postmodernism underscores the practical and moral character of science. It sees the disciplines as implicated in heterogeneous struggles around gender, race, sexuality, the body, and the mind, to shape humanity.

## Case

### K First

K outweighs—2 warrants

1. Fiat’s illusory. Voting aff doesn’t actually ensure people receive a living wage, but the ballot can have a tangible impact on the mindsets we endorse.

2. Representations come before policy-focus

**Russell 9** writes[[109]](#footnote-109)

A critical reading of this debate suggests that setting priorities for health care is a discursive process (that is, it involves argument and debate). The policy-as-discourse perspective embraces a number of approaches that are centrally concerned with how policy problems are represented. **Policymakers are not simply responding to "problems"** that exist in the community, **they are actively framing problems and thereby shaping what can be thought about and acted upon.** According to Stone (1988): "The essence of policymaking in political communities [is] the struggle over ideas. Ideas are at the centre of all political conflict .... Each idea is an argument, or more accurately, a collection of arguments in favour of different ways of seeing the world" (p. 11). Within this conceptualization of policymaking, the understanding of "what evidence is" takes on a very different meaning. Evidence can no longer be considered as abstract, disembodied knowledge separate from its social context: There is no such entity as "the body of evidence." There are simply (more or less) competing (re)constructions of evidence able to support almost any position. Much of what is called evidence is, in fact, a contested domain, constituted in the debates and controversies of opposing viewpoints in search of ever more compelling arguments. (Wood, Ferlie, and Fitzgerald 1998, p. 1735) A number of empirical studies of health policy as discourse have been undertaken, though in general, these are not well understood or widely cited in mainstream health services research. Steve Maguire (2002), for example, describes a longitudinal case study of the development and introduction of drugs for the treatment of AIDS in the United States from 1981 to 1994. Detailed analysis of extensive field notes and narrative interviews with people with AIDS, activists, researchers, industry executives, and policymakers led his team to challenge three assumptions in the evidence-into-policy literature: (1) that there is a clear distinction between the "evidence producing" system and the "evidence adopting" system; (2) that the structure and operation of these systems are given, stable, and determinant of, rather than indeterminate and affected by, the adoption process; and (3) that the production of evidence precedes its adoption. Maguire's study found the opposite: that there was a fluid, dynamic, and reciprocal relationship between the different systems involved, and that activists "successfully opened up the black box of science" via a vibrant social movement which, over the course of the study, profoundly influenced the research agenda and the process and speed of gaining official approval for new drugs. For example, whereas the scientific community had traditionally set the gold standard as placebo controlled trials with hard outcome measures (such as death), the AIDS activists successfully persuaded them that placebo arms and "body count" trials were unethical in AIDS research, spurring a shift towards what is now standard practice in drug research--a new drug is compared with best conventional treatment, not placebo, and "surrogate outcomes" are generally preferred when researching potentially lethal conditions. **The role of key individuals in reframing the issue** ("hard outcomes" or "body counts") **was crucial in determining what counted as best evidence and how this evidence was used in policymaking.** Importantly, Maguire's fieldwork showed that AIDS activists did not simply "talk their way in" to key decision-making circles by some claim to an inherent version of what was true or right. Rather, they captured, and skillfully built upon, existing discourses within society, such as the emerging patients' rights movement and the epistemological debates already being held within the academic community that questioned the value of "clean" research trials (which only included "typical" and "compliant" patients without co-morbidity). They also collaborated strategically with a range of other stakeholders to achieve a common goal ("strange bedfellows ... pharmaceutical companies along with the libertarian, conservative right wing allied themselves with people with AIDS and gays" (p. 85). Once key individuals in the AIDS movement had established themselves as credible with press, public, and scientists, they could exploit this credibility powerfully: "their public comments on which trials made sense or which medications were promising could sink research projects" (p. 85). "Fair" Policymaking: A Process of Argumentation In summary, interpretivist and critical research on the nature of policymaking shows that it involves, in addition to the identification, evaluation, and use of research evidence, a complex process of framing, deliberation, negotiation, and collective judgment. Empirical research studies also suggest that this is a sophisticated and challenging process. In a qualitative research study of priority-setting committees in Ontario, for example, Singer and colleagues (2000) identified factors such as representation of multiple perspectives, opportunities for everyone to express views, transparency, and an explicit appeals process as key elements of fair decision making. An important dimension of this collective deliberation is the selection and presentation of evidence in a way that an audience will find credible and appealing. **If we wish to better understand** the deliberative processes involved in **policymaking,** and how evidence actually gets "talked into practice" (or not) at a micro level of social interaction, then **we require a** theoretical **framework that places central focus on** language, argumentation, and **discourse.**

### Ks Good

Ks are core neg strat because they check back unpredictable affs. I need Ks that can mitigate aff offense because the aff chooses the area debate and thus will always have more specific substantive research.

Postmodern education is lifelong learning; it’s the best form of education if I win the substance of the kritik

**Edwards and Usher 1** write[[110]](#footnote-110)

It is sometimes suggested that lifelong learning is not a new concept, and indeed, there is some truth to this. However, we, like others (Wain, 2000), feel that earlier discourses had more of a focus on lifelong education than lifelong learning and that the shift toward a concern with encouraging individuals to become lifelong learners is part of a wider shift whereby governments empower their populations to become active citizens and to become more responsible for their own life courses (Dean, 1999; Field, 2000). Under the sign of lifelong learning, institutionalized education at all levels is becoming increasingly more diverse in terms of goals, processes, organizational structures, curricula, and pedagogy. This both reflects and contributes to a breakdown and reinscription in different forms of clear and settled demarcations between different sectors of education and between education and the life world. Lifelong learning is a manifestation of and contributor to this dedifferation and redifferentiation, now increasingly seen as goals to be pursued by education across the board rather than by a specific sector or through a particular curriculum. This spreading epidemic of lifelong learning has meant that **institutional**ized **education can no longer claim a monopoly over knowledge production** and assessment on the grounds that it is a formally constituted field or through its role in epistemological policing. Both its authority and power are subject to question. Once learning starts to become recognized as located in a variety and diversity of social practices **outside the institutional, a greater multiplicity of activities** is seen as involving learning and hence **can be deemed educational.** What this implies is that **lifelong learning** is not simply a term for a policy or mode of provision. In addition, and perhaps more important, it can be understood as a metaphor that **brings to the fore the boundlessness of learning;** that is, **it is not to be confined by** predetermined outcomes, **formal institutions, and epistemological control**. The metaphor “lifelong learning” alerts us to a way of seeing learning as without boundaries. Simultaneously, we want to argue that this way of seeing brings out its postmodern condition. The various phenomena subsumable under the heading lifelong learning, located in different discourses and played out through different social practices, signify **learning** that could be inside or outside educational institutions and that **is not necessarily bounded by what educators** would **traditionally define as** the transmission of“appropriate” and/or **“worthwhile” knowledge.** As such, we want to suggest, echoing Lyotard’s (1984) argument regarding a postmodern condition of knowledge, that **lifelong learning can be viewed as a postmodern condition of education**, where this implies a diversity of practices and also an enfolding with modernist educational practices. We therefore have sympathy, although do not entirely agree, with Wain’s (2000) assertion that “we have moved, or are fast moving into a new postmodern discourse or language game from which the word ‘education’ is itself being gradually eased out in favour of lifelong learning and performativity” (p. 37). Wain sees this as a point of exit from the discourse of the modern, whereas we take the modern and postmodern to be complexly layered and enfolded.

Education outweighs fairness. It’s an out-of-round impact but fairness is an in-round impact.

Postmodern education is key to fairness because epistemic suspicion is key to including people who are otherwise excluded from expert discourses, that’s Seidman 94.

Ground. Living wage is aff-biased. I need kritiks like this one to check that back.

Wiki solves predictability. I’ve read this before.

The K impact turns theory. Theory interps are meta-narratives that assume an extra-discursive reality; we must recognize that debate doesn’t really have rules since it’s all subject to our language games.

K outweighs theory. You won’t deter me from running the K, but you can challenge hegemonic forms of knowledge production in this round

### Poverty Turn

**MLK’s not an empirical authority. At best they win that we should trust MLK that poverty is bad, but not MLK’s reasoning that a living wage solves it, so poverty turns and outweighs case.**

**Living wage causes poverty; consensus of economists**

**Quigley 1**

William Quigley, Law Professor-Loyola University New Orleans, 2001, "Full Time Workers Should Not Be Poor: The Living Wage Movement," Mississippi Law Journal, Spring, 70 Miss. J.J. 889, p. 935-6

Opponents of living wages argue that these ordinances could potentially increase the local poverty rate and cost too much. A survey of over 300 economists conducted in 2000 for the Employment Policies Institute, a nonprofit research organization generally opposed to raises in both the minimum wage and the enactment of living wage ordinances, found that nearly eight in ten of the labor economists surveyed thought living wage ordinances would result in employers hiring higher skilled workers, and over 70% said the laws could potentially reduce the number of entry-level jobs and thus increase the local poverty rate. [n180](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n180) The opposition also suggests that living wage ordinances increase the cost of governmental contracts. Pasadena, California, estimated their living wage ordinance cost to be about $ 200,000 for the year 2000; Cambridge, Massachusetts, estimated its cost at $ 300,000; Madison, Wisconsin, estimated its cost at $ 47,000. [n181](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n181) While there is certainly some cost associated with living wages, this article will not join in the aforementioned melee of economists. Others disagree. [n182](http://www.lexisnexis.com.ezp-prod1.hul.harvard.edu/lnacui2api/frame.do?tokenKey=rsh-20.422568.3809552412&target=results_DocumentContent&returnToKey=20_T21059172089&parent=docview&rand=1417474365802&reloadEntirePage=true#n182)

### Free Markets Turn

A living wage is government interference in the free market

**Phillips 13** writes[[111]](#footnote-111)

The focus on wages reverses cause and effect. The focus on wages is a focus on consumption—what a worker can buy from his wages. But an individual cannot consume until he produces, unless he wishes to live as a parasite. Government intervention impedes production. Government intervention prevents individuals from starting businesses, creating jobs, developing new products or processes. **Government intervention prevents individuals from acting on their own judgment**. If someone wants to offer a job with a pay of $2 an hour, he should be free to do so. If he cannot attract enough workers at that wage, he will need to offer more or go out of business. If a worker is willing to work for $2 an hour, why should anyone prevent him from doing so? **If the business owner judges that a job is only worth $2 an hour, he should be free to act** on his own judgment**. If a worker judges that** a job paying **$2 an hour is his best opportunity, he should be free to act** on his own judgment. Government intervention in the employer/employee relationship prohibits each from acting as he thinks best for his own life. Like all advocates of government intervention, the **advocates of a “living wage” believe that they know what is best for other** individual**s. They are willing to use government coercion to dictate** how others may live **their lives**. Ironically, and sadly, while advocating a “living wage” they simultaneously seek to prohibit others from actually living.

The rich are comparatively better moral authorities

**Mohanty 12** writes[[112]](#footnote-112)

Do we exalt the John Galts and Howard Roarks among us or despise them? Do we admire the ultimate, self-centered and selfish capitalists or the selfless, self-sacrificing altruists? Oh **sure there are** the **M**artin **L**uther **K**ing, Jr.**s and** Mahatma **Gandhis and** Nelson **Mandelas** and Aung Sun Suu Kyis **we like to point to as** icons and **worthy role models** for our children. **But look deeply and** we find that **we are obsessed with the wealthy**. And who are the wealthy? Why do **we let** the Robert Rubins, Sandy Weills, Jakc Welchs, Jamie Dimons and their **Wall St. brethren keep their millions**? **Because we consider that** right and **their right**. Let alone the hedge fund people whose entire purpose is to become billionaires. How many people explicitly make life choices that will lead to a life of service -> not be a charlatan like Mother Teresa but just helping the underprivileged without trying to 'achieve' greatness by so doing. So Lance Armstrong and Greg Mortensen and the Evangelical Christian blowhards such as Pat Robertson and Jerry Falwell don't count. All the Indian Hindu godmen -- who are too numerous to make a comprehensive list -- are in it to become gods themselves. I hope nobody thinks for a moment that a Sai Baba or Ravi Shankar or Ram dev or the others are in it to do 'service.' Think of the obsessive listing of the wealthy in the media -> what does that show except that We The People are obsessed with wealth and the wealthy. Think of the self-promotional crazy stunts of the Hollywood celebrities who are clearly not in the business of doing charity by any stretch of the imagination. Coming down from these Olympian levels to levels of ordinary mortals like you and me, what motivates the average successful individual?  Take a doctor. There are hundreds of thousands if not millions of doctors in the world. Who goes to the top of that pyramid? There are only a few doctors who reach the top of their chosen profession of medicine - they are the top dogs, the chairmen of depts. at academic medical centers, the consultants to the big pharma companies, the rock stars of the various medical disciplines like cancer or heart or brain surgery, the doctors who have built enough of  a name for themselves that the average public has heard of them. These are the doctors who manage to make in excess of a million dollars in the U.S. Take teachers. There are thousands and hundreds of thousands of them. But only a few reach the top of this mountain. The teachers who are professors at the Ivy League universities, who write books, or appear on TV, or go on the lecture circuit, perhaps serve in the govt. for a while, head think tanks -> think Condolezza Rice and Elizabeth Warren or Michael Sandel and Niall Ferguson. Take sportspersons. Is it even POSSIBLE to think of top sportspersons separately from their multi-million endorsement deals? Who is the exception? Not Tiger Woods. Neither Roger Federer nor Michael Schumacher. And surely not David Beckham. You can add any famous footballer, or basketball player or tennis player or baseball player or Formula One driver or boxer. They do it for the money. The 'closest' way to be a follower of the Dr. Kings and Gandhis would be to enter public service. How many leaders on the world stage can you name who are in public service primarily to do selfless service? At worst, elected leaders of nations can turn into Hitlers. But even at their best, democratic nations have produced leaders like George W. Bush or Tony Blair. Indian democracy seems to be faithful not to a republican ideal but to some older, apparently ingrained desire to elect leaders belonging to the same family generation after generation. All democracies appear to be flawed to various degrees. And yet, these are the 'democracies.' Nobody expects Iran, North Korea, or Cuba, or Venezuela to come up with the next Gandhi. Leaders of nations never fail to extol the 'courage' and 'sacrifice' of the troops belonging to their nations. So Obama will say that America's fighting forces are the best and finest forces in the world and the men and women 'serving' in those forces make incredible 'sacrifices' for their country everyday. The French President will say the same about the French soldiers. The Indian Prime Minister will say the same things as well -> about bravery and courage and sacrifice. I think we all understand the lie in this and let it be. The troops are not in the military because they want to make sacrifices for their country but because of other personal factors -> may be they wanted to be fighter pilots or be at the cutting edge of technology or they come from poor families and the military seemed a nice enough career option from a financial perspective. The Obama and Democratic doctrine in the U.S. of sturdier social safety nets and a move towards universal healthcare and greater government role in providing various services to the citizens finds favor with the citizens precisely because there are so many millions of people who are dependent on these services and safety nets. If I am a Medicare beneficiary and fight to continue to be one and want to vote and vote for the guy who'll assure me that it ain't going anywhere, then I am not doing anything altruistic, am I? Even women appear to have realized that they will have greater power over men by 'withholding' the only currency they have -> that of sex. So from a peak of a permissive and pervasive culture of sex, we see women retreating towards some ideal of monogamy - or at at least giving importance to traditional social structures such as marriage (followed by monogamy). Perhaps **nothing exemplifies** the fundamental self-centeredness and **selfishness** of human beings **as the fact of** there being such **income disparities** within and among nations on one planet. We have not really learned that we are one species, have we? We are still Americans and Canadians and French and British and Germans and Russians and Japanese. Oh, these are merely the rich folks of the world. The advanced, wealthy nations of the world at best have a total combined population of one billion. The rest of the global population (six billion plus) is poor. Even within these rich countries, the poor are taken care of to varying degrees - in the Scandinavian nations, or in Japan, a sense of equity and inclusiveness exists; the poor are taken care of by the government, the old receive free medical care or pensions. In America, people are less entitled to government stuff - though there's Medicare and Medicaid, there's no national government-funded and government-run healthcare system. But beyond these tiny islands of wealth and the even tinier islands of wealth in the Middle East, there exist these vast oceans of povery across much of Asia, Africa, and Latin America. Millions of people existing on the edge of starvation and death. If humans were not selfish, with all the knowledge and technology at our disposal, people in the developed nations would have pushed their governments to do more to eradicate some of the completely unnecessary deaths from easily curable diseases that is still so commonplace in so many parts of the world. Are you thinking -> "Well, why would the average American or Canadian or French citizen think about grinding poverty in Africa and India?" Well, exactly. They don't. They are too busy with their own lives. Which explains why we see so much coverage in the media about the challenges of bringing up kids in the age of Ritalin and Facebook. We see coverage about homes that cost a million dollars and other homes that cost 50 or 100 million dollars. And cars that cost 100,000 dollars to a million dollars. We have the ridiculous state of affairs where people in the developed nations spend more on their pets than people in developing countries spend on their human babies. Which is why we have medicines for cancer that can cost 5,000 dollars per month - clearly out of reach for the billions who survive on less than a dollar a day. **Here's the contradiction people are living with** consciously or unconsciously. The average middle class person in the U.S. or Europe doesn't consider himself or herself to be a 'parasite' as Ayn Rand might. So **it's considered right** and correct **that the rich should** be asked to **pay their fair share of taxes** to the government **and the government should take care of the poor**, the elderly and those who are not able to fend for themselves. **At the same time, there's no law against becoming millionaires** or billionaires -> becoming wealthy is mostly celebrated. Making money is mostly a glorious activity and achievement in the rich societies. **So, people are in agreement with** Ayn **Rand when she says that the wealthy are the heroes and that free market economics is** the **right** policy choice. But people don't agree with Rand when she considers the poor to be 'parasites.' People are ok with government helping those who have fallen on hard times. Indeed, people want the government to do more -> particularly as more and more people are becoming prone to falling and indeed falling into hard times. The veterans, the elderly, the poor, the unemployed, etc. do not consider themselves to be parasites. The problem with this conception and formulation of a 'compassionate society' is that the compassion stops at the border. It's not clear why that should be so -- particularly in this age of the ubiquitous internet when the sufferings of anyone and everyone in the world living anywhere is instantaneously transmitted to every corner of the world by TV. Why is the suffering of the homeless kids in Florida more heart-wrenching than the suffering of the kids in Africa or Afghanistan or the suffering of the street kids in India. Why is it news if 'adult' children in the U.S. are 'moving in' with their parents because of the challenging economic environment? Are not there more challenging crises facing humans in poor countries of the world? What about the urban poor in India and China who live in very difficult circumstances -- perhaps in slums? The average middle class person in the West earning 30,000 dollars per annum would be virtually a millionaire in poor India or Africa. But the middle class folks in the rich nations don't feel that they have a 'duty' to be compassionate towards the poor and the suffering citizens and kids throughout the world. The **governments in** the **rich nations do not feel obliged to tax the middle class** heavily **and send the revenue** collected **to** the **poor nations. So** the **compassion** of the average American or European **extends** to the unfortunate citizen or kid **only within** the boundaries of **their own country**. A wonderful case of moral relativism indeed. Or **simple selfishness showing in the end that people operate in their minds in the way that** Ayn **Rand portrayed** -> though people may be ashamed to admit that in the exaggerated way in which Rand contrasts the 'heroes' and 'parasites' in her novels.

# Other Moral Authorities Stuff

## AT Rawls Self-Respect FW

### Unemployment Turn

#### Unemployment Turns The FW

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

Moreover, Rawls's definition of self-respect suggests that individuals who are unemployed,7o r unable to work for whateverr eason,8w ill not feel a diminished sense of worth. They are instead expected to feel secure that their plan of life is worthwhile and be confident in their ability to carry it out, despite the fact that this may be difficult, if not impossible, in some instances. So while it is possible that midway through life individuals may find themselves unable to work and therefore unable to carry out their life plans, presumably Rawls expects that they will accept this situation and adjust their life plans accordingly. Moreover, they are apparently not expected to experience a diminished sense of worth. That this is likely, or even probable, is an issue that Rawls never addresses.

### Inequality Turn

#### **Inequality Turns The FW**

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

While Rawls clearly regards self-respect as a cornerstone of any theory of justice, his conception of self-respect creates problems for his theory as a whole. A common criticism of Rawls's theory is that it fails to take into account the fact that disparities in socioeconomic status may have a negative impact on self-respect (Miller 1978, 18). Brian Barry (1973) writes, "That equality of self-respect may be as much or more hindered by inequalities of wealth or power themselves apparently does not occur to Rawls" (32). A close examination of Rawls's theory reveals to the contrary, however, that the fact that socioeconomic inequalities may undermine self-respect does indeed "occur to Rawls." Rawls not only makes reference to the relationship between socioeconomic inequalities and self-respect, but he goes to great lengths to hide the disparities between "non-comparing groups" so as not to undermine the sense of worth of the most disadvantaged or the stability of society as a whole. I argue that Rawls needs to confront the possible influence of socioeconomic inequalities on self-respect. His conception of self-respect opens him up to charges of inconsistency and, more importantly, underminesh is ability to deliver on the promise of equality. Moreover, it raises serious doubt as to whether his theory is as "democratic and egalitarian"a s he claims (Keat and Miller 1974, 24).

### General

#### **Rawls’ Self-Respect Is Communal; His FW Can’t Survive The Real World**

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

Despite Rawls's contention that his solution to support self-respect is "the best" remedy (1971, 546), I argue that his remedy is not sound for a variety of reasons. For instance, in his discussions of the difference principle, envy, and the grounds for the priority of liberty, Rawls contradicts his own conclusion that self-respect is related solely to basic rights and liberties. Moreover, he attempts to ensure self-respect by advocating a segregated community made up of various "noncomparing groups." Thus, an individual's sense of worth depends on validation by those in his or her association, who happen to be the person's relative equals. This solution is not adequate, however, because people are bound to venture out of their associations into the community at large. In order to ensure that a person's sense of worth is not diminished if he or she is confronted by the disparities between "non-comparing groups," Rawls goes so far as to suggest that the most advantaged in a well-ordered society should refrain from ostentatious displays of their primary goods in order to lessen the visibility of these disparities.

#### Not Cut

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

Self-respect is a primary good because it gives a person the sense that his or her plan of life is worthwhile and its fulfillment is of value. Therefore, it is a good that Rawls (1971) contends the parties in the original position would wish to secure "at any cost" (440). If, however, the parties wish to avoid those "social conditions that undermine self respect . . . at any cost" and they know various "facts about human society . .. the laws of human psychology and [other] gen-eral facts affect[ing] the choice of the principles of justice" (Rawls 1971, 440, 137), it raises the question of whether they would in fact choose the two princi-ples of justice9 on the grounds that a society with potentially large disparities in socioeconomic conditions may in fact undermine self-respect. Rawls guards against this possibility in two ways. First, he rejects the notion that there is a relationship between socioeconomic conditions and self-respect. The problematica nd contradictoryn atureo f this assumptionw ill be discussed in section IV However, if this assumption is not convincing, he also claims that the parties "would accept a natural duty of mutual respect which asks them to treat one another civilly and to be willing to explain the grounds of their actions, es-pecially when the claims of others are overruled" (Rawls 1971, 178-79). The natural duty of mutual respect creates at least three problems for Rawls.10 First, the idea that the parties could accept a natural duty is in itself a contradic-tion in light of Rawls's insistence that natural duties "apply to us without regard to our voluntary acts . . . whether or not we have committed ourselves to these actions" (Rawls 1971, 114-15). In discussing "a fundamental natural duty . the duty of justice . . . [that] [r]equires us to support and to comply with just in-stitutions that exist and apply to us," Rawls points out that everyone is "bound to these institutions independent of his voluntary acts" (1971, 115). Thus, the prin-ciples of natural duty "do not presuppose an act of consent, express or tacit, or indeed any voluntary act, in order to apply" (115). Moreover, the "natural duty of justice ... binds citizens generally and requires no voluntary acts in order to apply" (116). Second, if the parties have a natural duty of mutual respect, they should have this duty regardless of whether they choose the two principles of justice or not. In other words, because the duty is natural, it exists regardless of which concep-tion of justice they choose. Rawls claims that "[t]he fact that justice as fairness gives more support to self-esteem than other principles is a strong reason for them to adopt it" (1971, 440). However, a natural duty of mutual respect implies, to the contrary, that justice as fairness could not secure self-respect better than other principles because mutual respect is assured regardless of which concep-tion of justice the parties agree to. Thus, it is possible that the parties could choose any conception of justice (122-26) and still be assured that their self-respect would not be undermined. Finally, the natural duty of mutual respect conflicts with Rawls's account of the relationship between self-respect and "rational prudential choice" (1971, 584). Rawls argues that his account of the desire for primary goods in general, and self-respect in particular, rest on "general assumptions about rationality and the conditions of human life" (253). Rawls (1971) assumes that it is "clearly ra-tional for men to secure their self-respect" (178-79). The rationality of the parties in the original position means that "in choosing between principles each tries as best he can to advance his interests" (142). The question then arises: how can self-respect rest on both a natural duty and rational prudential choice? The notion of a natural duty would seem to preclude the possibility that the parties choose to secure self-respect because it is to their advantage. A natural dutywould presumably not involve any choice at all, rational or otherwise. Thus, while Rawls rests the decision of the parties to secure self-respect on both a nat-ural duty and rational prudential choice, the conflicting nature of these two claims is never addressed.

#### Not Cut

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

One of the main problems with self-respect in the Rawlsian paradigm is that it rests on the assumption that self-respect is secured by legally prescribed rights and liberties, not socioeconomic status. There are many instances in A Theory of Justice in which Rawls describes the relationship between self-respect and basic rights and liberties. For example, he writes that "equal political rights . . . enhance the self-esteem" of the average citizen (234). Similarly, theseee free-doms [equal political liberty] . . . strengthen men's sense of their own worth" (234), and "the contract conception of justice supports the self-esteem of citizens generally more firmly than other political principles" because "[i]n the public forum each person is treated with the respect due to a sovereign equal; and everyone has the same basic rights" (536). Moreover, "[i]n a well-ordered soci-ety then self-respect is secured by the public affirmation of the status of equal citizenship for all" (Rawls 1971, 545; 1993, 76-77, 318-20). It is important to note that the argument here is not with Rawls' assumption that there is a relationship between equal rights and liberties and self-respect, but with the accompanying suggestion that inequalities in socioeconomic status will not undermine self-respect. For instance, he writes that "[t]he basis of self-esteem in a just society is not then one's income share, but the publicly affirmed distribution of fundamental rights and liberties. And this distribution being equal, everyone has a similar and secure status when they meet to conduct the common affairs of the wider society. No one is inclined to look beyond the con-stitutional affirmation of equality for further political ways of securing his status" (Rawls 1971, 544). Moreover, he notes that "while the social and eco-nomic differences between the various sectors of society, the non-comparing groups as we may think of them, are not likely to generate animosity, the hard-ships arising from political and civic inequality, and from cultural and ethnic discrimination, cannot be easily accepted" (545). The main problem with this as-sumption is that it contradicts statements Rawls makes acknowledging the possibility that inequities in socioeconomic condition may undermine self-respect. 12

#### Not Cut

Zaino, 1998:

(Self-Respect And Rawlsian Justice. The Journal Of Politics. Vol. 60, No. 3. August 1998. Pp. 737-753. Jeanne S. Zaino, Ph.D. and Professor of Political Science At Iona College.)

Self-respect is a communitarian aspect of Rawlsian justice in that one's sense of worth depends on validation from others in the community.14 Rawls notes: "[O]ur self-respect normally depends upon the respect of others. Unless we feel that our endeavors are honored by them, it is difficult if not impossible for us to maintain the conviction that our ends are worth advancing" (1971, 178). Thus, self-respect contains a notion of reciprocity-it is "reciprocally self-supporting" in that one's sense of worth needs to be confirmed by others (178-79).15 In order for citizens to respect themselves and others, their common plans must be both "rational and complimentary" (441). So we begin to see in Rawls a fairly compelling picture of a well-ordered society based on the two principles of justice in which one's sense of worth can be achieved only in relationship to others. This account would seem to require a strong sense of community in which the natural talents and abilities of all are a collective asset to be shared and enjoyed by the community as a whole (Alejandro 1993). However, the compelling nature of this account fits uncomfortably with what we see when we look at the segregated notion of community Rawls has in mind and the nature of the social union of social unions. The fact that Rawls attempts to limit comparisons across socioeconomic lines by segregating people in communities of equals who can appreciate their plans and validate their sense of worth without drawing attention to the inequalities in society at large is further evidence that he is indeed aware of the potentiallyproblematic relationship between self-respect and large disparities in socioeco-nomic status. Rawls suggests that our self-respect is dependent on our endeavors being ap-preciatedb y "others."B y "others"h e does not mean everyone in the community at large, but our "associates" in voluntary associations, which he calls "social unions." While the nature of a social union is not as developed as it might be, it is apparently a voluntary association devoted to a certain activity that satisfies the Aristotelian Principle and the companion principle which "implies that men appreciate and enjoy those attributes in one another as they are manifested in co-operating to affirm just institutions" (Rawls 1971, 528-29). Associations come in many types and sizes, ranging from family and friendships to groups that work together in science, art, and religion (440-41, 523-29). Rawls suggests that "for each person there is some association (one or more) to which he belongs and within which the activities that are rational for him to pursue are publicly affirmed by others" (441). Consequently, associations are made up of persons of similar abilities, natural assets, interests, and socio-economic status. In essence, they are made up of relative equals. That this is what Rawls has in mind is evident in various passages from both A Theory of Justice and Political Liberalism. For instance, he notes that "men have varying capacities and abilities, and what seems challenging to some will not seem so to others. Yet in a well-ordered society anyway, there are a variety of communities and associations, and the members each have their own ideals appropriately matched to their aspirations and talents" (1971, 441). The "internal life of these associations is suitably adjusted to the abilities and wants" of its members (441-42). Moreover, he suggests that there will clearly be "social and economic differences between the various sectors of society, the non-comparing groups" (Rawls 1971, 545). He reiterates this idea in Political Liberalism when he notes that "variations and differences in natural gifts and abilities . .. become relevant only as we aspire to certain offices and positions, or belong to or wish to join certain associations" (Rawls 1993, 302). Consequently, it becomes clear that those who will affirm our sense of worth are our relative equals. This fact alone is not too troubling, until we consider it in conjunction with Rawls's efforts to hide the "variations in men's prospects" (1971, 536). Now that one's sense of worth is conveniently validated by one's relative equals, Rawls needs to ensure that if people venture out of their associations, they are not confronted by the potentially disturbing inequalities between "non-comparing groups." In his discussion of political participation, it becomes evident that some people may journey out of their associations into society at large (228-34). In an effort to avoid the loss of self-respect that could result if those who are worse off are confronted by the inequalities in society at large, Rawls suggests that the "plurality of associations in a well-ordered society, each with its secure internal life, tends to reduce the visibility, or at least the painful visibility, of variations in men's prospects" (536). Thus, his social union of socialdis-crepancies between which will not attract the "kind of attention which unsettles the lives of those less well placed" (537). Despite his suggestion, it is not alto-gether clear that he is as concerned with unsettling the lives of the disadvantaged as he is with securing their cooperation and promoting stability in society at large. Rawls goes on to argue that "this ignoring of difference in wealth and cir-cumstances is made easier by the fact that when citizens do meet one another, as they must in public affairs at least, the principles of equal justice are to be ac-knowledged" (537). But he does not rely on this alone; in one final attempt to ensure that socioeconomic inequalities do not have a negative impact on feelings of self-respect, he also suggests that the more advantaged should "not make an ostentatious display of their higher estate.... Taken together these features of a well-ordered regime diminish the number of occasions when the less favored are likely to experience their situation as impoverished and humiliating" (537). Rawls does not seem at all concerned with the apparent contradiction between his invisibility argument and his statement that certain ways of dealing with envy and other aberrant propensities are closed to a well-ordered society. For example, it cannot keep them in check by promulgating false or unfounded beliefs. For our problem is how society should be arranged if it is to conform to principles that ratio-nal persons with true general beliefs would acknowledge in the original position. (1971, 547) As Keat and Miller (1974) argue, "[T]hat the society's stability depends partly on its inequalities remaining invisible seems to be at variance with another general theme of [Rawls's] theory of justice: namely, that a theory is not acceptable if the stability of a society based upon it depends upon the members of that society not knowing its principles and the way it is organized" (24). They go on to suggest that while it is possible to argue that Rawls is not keeping the disadvantaged in check by promulgating false or unfounded beliefs, but merely by creating a sit-uation in which they do not think about variations in men's prospects very often, this argument is nevertheless built on a very loose interpretation of the "true-belief principles" (24). Not to mention that the invisibility argument, and the accompanying lowering of expectations among those who are worse off, seems to be out of place in a theory that purports, as Rawls's does, to be both demo-cratic and egalitarian. Consequently, despite Rawls's compelling account of the communitarian na-ture of self-respect, human sociability, and the social union of social unions in which natural talents are collective assets, this discussion fits uncomfortably with his conception of a segregated community in which disparities in socioeconomic status are hidden. In essence his rhetoric obscures the reality of a highly segre-gated society in which an individual's self-respect depends on validation by those in their association who are their relative equals. Rawls's conception of self-respect insures that if individuals venture outside of their association and are confronted (despite his efforts to ensure otherwise) with others in "non-comparing groups," they will not experience a diminished sense of worth because their self-respect depends not on their socioeconomic position, but on legally prescribed rights and liberties shared equally by all.

## AT: 1AR Util K

### Framing

If I win any reason the K is false, vote neg; 4 reasons.

1. Accusations that I’m making debate unsafe shouldn’t be taken lightly. Make him commit to this argument.

2. Dropping him deters false accusations of making debate unsafe which trade off with more legitimate efforts in the activity.

3. My arguments prove util should be the preferred framework. He doesn’t have util offense, so at that point you can only negate.

4. It’s key to compensate for the time I spent responding. Otherwise it’s no-risk for the aff.

### AT Intrinsic Value

Util wouldn’t entail rampant racism in practice. Very few things cause more suffering than racism, and a choice between racism and those kinds of suffering doesn’t arise for most decision-makers.

Not unique to util and alternatives are worse

**Pettit 99** writes[[113]](#footnote-113)

**It is usually said** against **consequentialism** that it would lead an agent to do horrendous deeds, so long as they promised the best consequences. It **would forbid nothing absolutely**: not rape, not torture, not even murder. **This** charge is on target but it **is only relevant** of course **in horrendous circumstances**. Thus if someone of ordinary values condoned torture, that would only be in circumstances where there was a great potential gain – the saving of innocent lives, the prevention of a catastrophe – and where there were not the bad consequences involved, say, in state authorities claiming the right to torture. Once it is clear that the charge is relevant only in horrendous circumstances, it ceases to be clearly damaging. After all **the non-consequentialist will** often **have to defend an equally unattractive response** in such circumstances. **It may be awful to think of torturing** someone **but it must be equally awful to** think of not doing so and **consequently allow**ing, say, **a massive bomb to go off in some public place.**

If the alt prevents us from minimizing the suffering of others, it makes debate unsafe. Non-utilitarian theories often rely on the act-omission distinction which justifies being complicit in structural violence.

Util can account for characteristically deontological rules without deeming them correct for deontological reasons

**Yudkowsky 8** writes[[114]](#footnote-114)

But if you are running on corrupted hardware, then the reflective observation that it seems like a righteous and altruistic act to seize power for yourself—this seeming may not be be much evidence for the proposition that seizing power is in fact the action that will most benefit the tribe. By the power of naive realism, the corrupted hardware that you run on, and the corrupted seemings that it computes, will seem like the fabric of the very world itself—simply the way-things-are. And so we have the bizarre-seeming rule: "For the good of the tribe, do not cheat to seize power even when it would provide a net benefit to the tribe." Indeed it may be wiser to phrase it this way: If you just say, "when it seems like it would provide a net benefit to the tribe", then you get people who say, "But it doesn't just seem that way—it would provide a net benefit to the tribe if I were in charge." The notion of untrusted hardware seems like something wholly outside the realm of classical decision theory. (What it does to reflective decision theory I can't yet say, but that would seem to be the appropriate level to handle it.) But on a human level, the patch seems straightforward. Once you know about the warp, you create rules that describe the warped behavior and outlaw it. A rule that says, "For the good of the tribe, do not cheat to seize power even for the good of the tribe." Or "For the good of the tribe, do not murder even for the good of the tribe." And now **the philosopher comes and presents their "thought experiment**"—setting up a scenario **in which**, by stipulation, **the only possible way to save five** innocentlives **is to murder one** innocent person**, and this** murder **is certain to save the five** lives. "There's a train heading to run over five innocent people, who you can't possibly warn to jump out of the way, but you can push one innocent person into the path of the train, which will stop the train. These are your only options; what do you do?" An altruistic human, who has accepted certain deontological prohibits—which seem well justified by some historical statistics on the results of reasoning in certain ways on untrustworthy hardware—may experience some mental distress, on encountering this thought experiment. So **here's a reply to that** philosopher's **scenario**, which I have yet to hear any philosopher's victim give**: "You stipulate that** the only possible way to save five innocent lives is to murder one innocent person, and **this murder will definitely save the five** lives, **and that these facts are known to me with effective certainty. But since I am running on corrupted hardware, I can't occupy the epistemic state you want me to imagine**. Therefore I reply that, in a society of Artificial Intelligences worthy of personhood and lacking any inbuilt tendency to be corrupted by power, it would be right for the AI to murder the one innocent person to save five, and moreover all its peers would agree. However, I refuse to extend this reply to myself, because the epistemic state you ask me to imagine, can only exist among other kinds of people than human beings." Now, to me this seems like a dodge. I think the universe is sufficiently unkind that we can justly be forced to consider situations of this sort. The sort of person who goes around proposing that sort of thought experiment, might well deserve that sort of answer. But any human legal system does embody some answer to the question "How many innocent people can we put in jail to get the guilty ones?", even if the number isn't written down. **As a human, I try to abide by** the **deontological prohibitions that humans have made to live in peace** with one another. **But I don't think** that our **deontological prohibitions are** literally **inherently nonconsequentially terminally right**. I endorse "the end doesn't justify the means" as a principle to guide humans running on corrupted hardware, but I wouldn't endorse it as a principle for a society of AIs that make well-calibrated estimates. (If you have one AI in a society of humans, that does bring in other considerations, like whether the humans learn from your example.) And so I wouldn't say that a well-designed Friendly AI must necessarily refuse to push that one person off the ledge to stop the train. Obviously, I would expect any decent superintelligence to come up with a superior third alternative. But if those are the only two alternatives, and the FAI judges that it is wiser to push the one person off the ledge—even after taking into account knock-on effects on any humans who see it happen and spread the story, etc.—then I don't call it an alarm light, if an AI says that the right thing to do is sacrifice one to save five. Again, I don't go around pushing people into the paths of trains myself, nor stealing from banks to fund my altruistic projects. I happen to be a human. But for a Friendly AI to be corrupted by power would be like it starting to bleed red blood. The tendency to be corrupted by power is a specific biological adaptation, supported by specific cognitive circuits, built into us by our genes for a clear evolutionary reason. It wouldn't spontaneously appear in the code of a Friendly AI any more than its transistors would start to bleed. I would even go further, and say that if you had minds with an inbuilt warp that made them overestimate the external harm of self-benefiting actions, then they would need a rule "the ends do not prohibit the means"—that you should do what benefits yourself even when it (seems to) harm the tribe. By hypothesis, if their society did not have this rule, the minds in it would refuse to breathe for fear of using someone else's oxygen, and they'd all die. For them, an occasional overshoot in which one person seizes a personal benefit at the net expense of society, would seem just as cautiously virtuous—and indeed be just as cautiously virtuous—as when one of us humans, being cautious, passes up an opportunity to steal a loaf of bread that really would have been more of a benefit to them than a loss to the merchant (including knock-on effects). **"The end does not justify the means" is just consequentialist reasoning** at **one meta-level up**. If a human starts thinking on the object level that the end justifies the means, this has awful consequences given our untrustworthy brains; therefore a human shouldn't think this way. But it is all still ultimately consequentialism. It's just reflective consequentialism, for beings who know that their moment-by-moment decisions are made by untrusted hardware.

Absolutism can justify racism also. For example, a non-consequentialist theory could allow hate speech because the right to free speech is inviolable.

**Absolutism fails. It can’t explain empirical uncertainty. Inviolable rules like the aff’s may sound nice, but they can’t be action-guiding.**

**Jackson and Smith 6**

Frank Jackson (Australian National University) and Michael Smith (Princeton). “Absolutist Moral Theories and Uncertainty.” The Journal of Philosophy, Vol. 103, No. 6 (June 2006), pp. 267-283. http://www.jstor.org/stable/20619943

A skier is heading in a direction you know for sure will trigger an avalanche that will kill ten people. You know the only way to save the ten people is for you to shoot him. The probability that the skier intends to trigger the avalanche and kill the ten people is 1-p. We can agree that our target absolutist theory says it is right for you to shoot if it is certain that the skier intends to kill the ten, that is, if p = 0, for in that case you would not be killing someone innocent—you would be protecting the ten in the only way possible from an unprovoked attack. We can agree that our target theory says that it would be wrong for you to shoot if you are certain he simply happens to be skiing in that direction, that is, if p = 1, for then you would be intentionally killing someone innocent, and that is never right no matter how many you will be allowing to die by your failure to shoot. The number of lives that would be saved in the example as described is ten, but of course the distinctive position of absolutism is that the number does not matter: it is never right intentionally to kill the innocent no matter how many lives would be saved by doing so. Our question is, What should the theory say for other values of p? III. THE INFINITE DISVALUE APPROACH Perhaps the simplest absolutist answer to our question is to hold that whenever there is any chance that an action violates an absolute prohibition, the action ought not to be performed. This is the answer suggested by the absolutists' case against early stage abortion summarized above. In our example, the answer would prohibit shooting the skier whenever there is any chance that he is innocent, whenever, that is, p < 1. One way of implementing this answer is to assign infinite disvalue to intentionally killing the innocent and some finite disvalue to allowing people to die. For then the expected disvalue of the shooting—that is, the product of the disvalue of intentionally killing the innocent times the chance that the shooting is an intentional killing of the innocent—will exceed the disvalue of allowing others to die, no matter how many others die and how certain it is that they will die, provided there is some chance that the shooting is indeed an intentional killing of the innocent. It will, on this approach, be impossible to make the action that has some chance of being the intentional killing of someone innocent the right thing to do by making the number allowed to die by refraining from shooting large enough—the numbers allowed to die will be irrelevant, just as absolutists typically say.6 The trouble with this response is that there is nearly always some greater than zero chance that someone is innocent. All the evidence may be against them, but induction from the past record of over turned verdicts in cases that looked watertight at the time tells us that there is nearly always some chance that someone who looks clearly to be guilty is in fact innocent. We will get the result that it is never, or hardly ever, right to shoot the skier. Indeed, it will be hard to find any cases where it is right intentionally to kill someone as there is always some chance that the someone is innocent, and a small chance times an infinite disvalue equals an infinite dis value. We will have a quick (too quick) argument from absolutism against intentionally killing the innocent to an extreme kind of personal pacifism.

A racist deontologist could wrongly claim black people aren’t rational in the same way they’d oppose animal rights because animals aren’t rational. If what actual deontologists say is justified means this is irrelevant, then what actual utilitarians say is justified means his kritik is also irrelevant.

No internal link to safe spaces. Policy debate is almost universally util, and it’s not more unsafe than LD is.

Util can account for intrinsic value of an action

**Williams 73** writes[[115]](#footnote-115)

[Brackets for gendered language] To insist that what has intrinsic value is states of affairs and not actions seems to come near an important feature of consequentialism. Yet it may be that we have still not hit exactly what we want, and that the restriction is now too severe. Surely some actions, compatibly with consequentialism, might have intrinsic value? This is a question which has a special interest for utilitarianism, that is to say, the form of consquentialism concerned particularly with happiness. Traditionally utilitarians have tended to regard happiness or, again, pleasure, as experiences or sensations which were related to actions and activity as effect to cause; and, granted that view, utilitarianism will indeed see the value of all action as derivative, intrinsic value being reserved for the experiences of happiness. But that view of the relations between action and either pleasure or happiness is widely recognized to be inadequate. **To say that a [hu]man finds certain actions** or activity **pleasant**, or that they make him happy, or that he finds his happiness in them, **is certainly not always to say that they induce certain sensations** in him, and in the case of happiness, it is doubtful whether that is ever what is meant. Rather it means such things (among others) as that **[s]he enjoys doing these things for their own sake**. It would trivialize the discussion of utilitarianism to tie it by definition to inadequate conceptions of happiness or pleasure, and **we must** be able to **recognize** as **versions of util**itarianism those **which**, as most modern versions do, **take as central** some notion such as **satisfaction**, and connect that criterially with such matters as the activities which a man will freely choose to engage in. But the **activities which a [hu]man engages in for their own sake are activities in which [s]he finds intrinsic value**. So any specification of consequentialism which logically debars action or activity from having intrinsic value will be too restrictive even to admit the central case, utilitarianism, so soon as that takes on a more sophisticated and adequate conception of its basic value of happiness.

This isn’t a reason to vote aff. It’s just framework defense; he’s arbitrarily avoiding contention debate.

### Extinction First

If the choice were actually racism versus extinction, extinction is clearly worse. They’d intuitively oppose a policy that might cause some racism but will certainly prevent the death of every single person because our brains can’t understand the scope of the harm of extinction. Util solves scope insensitivity, that’s Yudkowsky 8.

Our intuition that genocide is wrong requires minimizing existential risks

**Bostrom 13** writes[[116]](#footnote-116)

We might also consider the issue from a less theoretical standpoint and try to form an evaluation instead by considering analogous cases about which we have definite moral intuitions. Thus, for example, **if we feel** confident **that committing a small genocide is wrong, and that** committing **a large genocide is no less wrong, we might conjecture that committing omnicide is also wrong**. And if we believe we have some moral reason to prevent natural catastrophes that would kill a small number of people, and a stronger moral reason to prevent natural catastrophes that would kill a larger number of people, we might conjecture that **we have a**n even **strong**er **moral reason to prevent catastrophes that would kill the entire human population.**

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